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URBAN
MUNICIPAL

MINUTES
MEETINGS OF CITY COUNCIL
OF HAMILTON

JAN. 19, 1999

Minutes of the Special Meeting of City Council
January 19, 1999
10:30 o'clock p.m.
Webster Room A B & C
Hamilton Convention Centre

URBAN MUNICIPAL

FEB 5 1999

GOVERNMENT DOCUMENT

The Council met:

Present: Mayor R. M. Morrow, Chairman.
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, D. Wilson, G. Copps, C. Collins, F. Eisenberger, T. Jackson,
B. Charters, B. Kelly, F. D'Amico, D. O'Sullivan.

Absent: Alderman T. Anderson – Regional Business

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Finance and Administration Committee and resolutions be now considered in Committee of the Whole. The Council then went into Committee of the Whole, with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE – FIRST REPORT

Establishment of a Joint City/Region Budget Steering Committee

RESOLUTION

Appointment of General Manager – Transportation and Operations

Re: Rule No. 9 - Appointment of a General Manager of Transportation and Operations

It was moved by Alderman Horwath and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this special meeting of City Council in order to permit consideration of a resolution respecting the Appointment of a General Manager – Transportation and Operations. **CARRIED.**

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Re: Appointment of a General Manager of Transportation and Operations

It was moved by Alderman Horwath and seconded by Alderman O'Sullivan:

- (a) That Mr. Arthur Leitch be appointed to the position of General Manager, Transportation and Operations and that the City Manager be authorized and directed to negotiate the terms and conditions of employment.
- (b) That the City Manager be authorized to include the honorarium from Hamilton Hydro in the compensation package for the General Manager, Transportation and Operations.

CARRIED.

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It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Finance and Administration Committee and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

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City Council then adjourned at 10:35 o'clock p.m.

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Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

Kevin C. Christenson,
Acting Municipal Clerk
January 19, 1999
KCC/dg

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIRST** Report for 1999 and respectfully recommends:

1. Establishment of a Joint City/Region Budget Steering Committee

- (a) That a Joint City/Region Budget Steering Committee be established; and,
- (b) That the Budget Steering Committee consult with the Management Team, Chairmen of the Standing Committees, and outside Boards and Commissions to formulate recommendations on operating and capital budgets; and,
- (c) That the Budget Steering Committee report directly to City and Regional Councils; and,
- (d) That the Budget Steering Committee consist of the following:

Councillor B. Charters
Alderman D. Wilson
Alderman D. O'Sullivan
Alderman A. Horwath
Councillor A. Sloat
Councillor R. Powers
Councillor G. Etherington
Alderman B. Kelly

Ex-Officio – Chairman T. Cooke
Mayor R. M. Morrow

2. Confirming By-law

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-1 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder, Secretary
January 6, 1999



OFFICE OF THE CITY CLERK

MEMORANDUM

TO: D. A. Lychak, City Manager
General Managers
Department Heads
Legislative Assistants

FROM: Kevin C. Christenson,
Acting Municipal Clerk

PHONE: 546-2728

SUBJECT: CITY COUNCIL MINUTES

DATE: January 29, 1999

Attached for your information and appropriate action is a copy of the minutes of the meeting of City Council held January 26, 1999.

JJS/dg
att.

OFFICE OF THE CITY CLERK

MEMORANDUM

TO: THE CITY CLERK

FROM: THE CITY CLERK

SUBJECT: [Illegible]

DATE: [Illegible]

RE: [Illegible]

1. [Illegible]

2. [Illegible]

3. [Illegible]

4. [Illegible]

5. [Illegible]

6. [Illegible]

7. [Illegible]

8. [Illegible]

January 26, 1999

Minutes of Hamilton City Council
Tuesday, January 26, 1999
7:55 o'clock p.m.
Council Chamber, City Hall

The Council met:

There were present: Mayor R. Morrow, Chairman; Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli, D. Haining, D. Wilson, G. Copps, C. Collins, F. Eisenberger, T. Jackson, B. Charters, T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan

Mayor R. M. Morrow called the meeting to order.

Reverend Andrew Murray, St. John the Evangelist Church led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented a Retirement Certificate and a Book to Stan Hollowell for his 33 years of dedicated service to the Corporation.

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Mayor R. M. Morrow presented a Certificate of Recognition to John Skirving.

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Mayor R. M. Morrow made a presentation to Joey Sousa and Sheldon Francis, Canadian Champions, Ontario Amateur Wrestling Association.

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Mayor R. M. Morrow made a presentation to Aleks Balta, Canadian Junior Judo Champion.

ADOPTION OF MINUTES

The minutes of the meetings held December 15, 1998; and January 19, 1999 were adopted as circulated.

Re: Amending council minutes from the meeting held 1998 December 8

It was moved by Alderman Eisenberger and seconded by Alderman O'Sullivan that the minutes of the meeting of City Council held December 8, 1998 be amended to read Alderman Wilson opposed to Section 5 of the Twenty-Fourth Report of the Finance and Administration Committee for 1998 regarding Rosedale Tennis Club Arrears.

CARRIED.

CORRESPONDENCE

1. Letter dated December 14, 1998 from Morley Kells, M.P.P., Ontario Olympics Commissioner requesting the City's support of Bill 77: An Act to endorse the bid by the City of Toronto to host the XXIX Summer Olympic Games.

Referred to the Parks and Recreation Committee.

2. Letter dated December 16, 1998 from W.A. Thomas, P. Eng., General Manager, Hydro-Electric Commissioner of the City of Hamilton respecting Zero Average Increase in the wholesale cost of power to our utility for the year 1999.

Received.

3. Letter dated December 22, 1998 from R. Scott Smith, Secretary to the Board of Commissioners respecting the Commissioners Five Year Capital Budget and Projected Cash flow.

Referred to the Finance and Administration Comm.

4. Application dated December 10, 1998 from Donna Leitch c/o John Dean, Solicitor for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for lands located east of Upper Sherman Avenue and south of Dalia Avenue, located at the rear of 1504 Upper Sherman Avenue, Hamilton.

Received.

5. Application dated January 12, 1999 from Peter Narduzzi, Samuel Frosina, John Anlabos, Dundas, Ontario for removal of the "H" Holding Provision for property at 684 Upper James Street, Hamilton, Ontario.

Received.

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It was moved by Alderman Kiss and seconded by Alderman Copps that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Committee of the Whole, the Report of His Worship Mayor R. M. Morrow, and the City of Hamilton Licensing Committee, be considered in Committee of the Whole with Alderman Caplan in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – FIRST REPORT

Section 31 Re: Restore the Core – Hess Street

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Eisenberger, Collins, Charters, Jackson, D'Amico, O'Sullivan. -10.

NAYS: Aldermen Kiss, Morelli, Haining, Copps, Wilson, Anderson, Kelly. - 7.

CARRIED.

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Section 33 Re: Vendor Program for Selected Street Locations – Authority to Issue Request for Proposals

It was moved by Alderman Collins and seconded by Alderman Eisenberger that Section 33 Sub-section (c) of the First Report for 1999 of the Transport and Environment Committee be amended by deleting the words “exclusive of the Transport and Environment Committee, HECFI\Copps Coliseum locations; replacing them with “ a Street Vendors Selection Committee consisting of the following 5 members of Council: Aldermen Anderson, Charters, Collins, Horwath and Wilson”.

This motion was not considered as the following tabling motion was subsequently moved and seconded.

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Section 33 Re: Vendor Program for Selected Street Locations – Authority to Issue Request for Proposals

It was moved by Alderman Morelli and seconded by Alderman Haining that Section 33 of the First Report of the Transport and Environment Committee be referred back.

CARRIED.

PARKS AND RECREATION COMMITTEE – FIRST REPORT

Section 4 (a) Hamilton Tiger Cat Football Club

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D’Amico, O’Sullivan. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

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Section 7 Re: Hamilton Public Library Board – Review of Service Levels

Recorded vote.

YEAS: Aldermen Kiss, Copps. –2.

NAYS: Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D’Amico, O’Sullivan. –14.

LOST.

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It was moved by Alderman Eisenberger and seconded by Alderman Jackson that the following be added as Section 12 of the First Report of the Parks and Recreation Committee for 1999:

“12. That the Hamilton Public Library Board be requested to appear before the Parks and Recreation Committee to address current service levels”. **CARRIED.**

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Section 10 Re: Ivor Wynne – Request from Hamilton Tiger Cat Football Club to Lift Smoking Ban on Stadium

It was moved by Alderman Morelli and seconded by Alderman Haining that Section 10 of the First Report of the Parks and Recreation Committee be referred back to the Finance and Administration Committee. **CARRIED.**

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PLANNING AND DEVELOPMENT COMMITTEE – FIRST REPORT

Section 5 Re: Zoning Application 98-22 by Cantrico Investments Limited, owner, for a modification to the “H” District, for lands located at 1394 Upper Gage Avenue

It was moved by Alderman Kelly and seconded by Alderman Anderson that Section 5 of the First Report of the Planning and Development Committee be referred back.

CARRIED.

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Section 6 Re: Zoning Application 98-24 and Official Plan Amendment Application by Jomar Development Corporation, Owner, for property located at 723 Rymal Road West

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Copps. -1.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – SECOND REPORT

FINANCE AND ADMINISTRATION COMMITTEE – SECOND REPORT

Section 6 Re: Grant – East Hamilton Optimist Club

It was moved by Alderman Wilson and seconded by Alderman Collins that Section 6 of the Second Report for 1999 of the Finance and Administration Committee be amended by deleting this section in its entirety, and the following inserted in lieu thereof:

6. That a grant be approved to the East Hamilton Optimist Club to be given in lieu of outstanding 1998 taxes for Lakeland Community Centre to be financed from the Reserve for Contingency, Account Centre No. CH0015 and that the General Manager, Finance report back as to the amount of this grant when it has been determined. **CARRIED.**

Section 8 Re: Financing – Restore the Core – Downtown Hamilton Improvement Plan, 1999 – 2008 Provision Capital Budget Submission

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Eisenberger, Collins, Charters, Jackson, D'Amico, O'Sullivan. -10.

NAYS: Aldermen Kiss, Morelli, Haining, Copps, Wilson, Anderson, Kelly. - 7.

CARRIED.

COMMITTEE OF THE WHOLE – FIRST REPORT

REPORT OF HIS WORSHIP MAYOR R. M. MORROW – FIRST REPORT

CITY OF HAMILTON LICENSING – FIRST REPORT

ACTING MAYOR FOR THE MONTH OF FEBRUARY, 1999

It was moved by Alderman Kiss and seconded by Alderman Copps that Alderman F. D'Amico be appointed Acting Mayor for the month of February, 1999. **CARRIED.**

MOTION TABLED FROM PREVIOUS MEETING
1998 November 10 – Finance and Administration Committee
Section 3 of the Twenty-First Report for 1998

It was moved by Alderman Jackson and seconded by Alderman Charters that Section 3 of the Twenty-First Report of the Finance and Administration Committee for 1998 Re: People's Resolution for a United Canada which was tabled by City Council at its meeting held 1998 November 10 be now lifted from the table: **CARRIED.**

It was moved by Alderman Jackson and seconded by Alderman Charters that the City of Hamilton endorses the People's Resolution for a United Canada proposed by the Team Canada for Unity as follows:

WHEREAS the City of Hamilton believes that Canada is a country that is second to none, enriched by the presence of the Aboriginal peoples and their cultures, graced with the vitality of the English and French languages and gifted with the diversity of multiculturalism; and,

WHEREAS the City of Hamilton believes that all Canadians are equal and all Canadian provinces have equality of status; and,

WHEREAS the City of Hamilton believes that Canada, with its existing Constitution and Charter of Rights and Freedoms, offers all of its citizens and provinces an equal opportunity to prosper and flourish. The same Constitution has enabled and must continue to enable the Province of Quebec, a fundamental and valued partner of the Canadian confederation, the opportunity to promote and protect its culture, civil law tradition and French language; and,

WHEREAS the City of Hamilton recognizes the English and French languages, Canada's two official languages, as a fundamental and enriching part of our heritage as well as an unequivocally important part of its future and that Canadians and their governments must endeavour, in a spirit of good faith, to ensure the vitality of these two official languages, and,

WHEREAS the City of Hamilton believes that Canadians and their governments must be committed to the protection and promotion of official language minority communities throughout Canada;

NOW THEREFORE BE IT RESOLVED THAT the City of Hamilton, in a spirit of friendship and in the name of unity, proudly adopts this People's Resolution for a United Canada and we hereby urge all Canadian municipalities to join us in this grassroots effort to resolve the issue of Canadian unity;

AND BE IT FURTHER RESOLVED THAT the citizens of Hamilton call upon the Government of Canada (and all Federal Parties) as well as all provincial legislatures/assemblies (and all provincial parties) to join together with municipal governments, the level of government closest to the people, to ensure that all Canadians from all provinces are consulted on the issue of national unity;

AND BE IT FURTHER RESOLVED THAT the citizens of Hamilton call upon the Government of Canada and all provincial legislatures/assemblies to ensure that continuance of a united Canada in accordance with the moral, political, legal and constitutional obligations of our nation, and we demand that the Government of Canada and all provincial legislatures/assemblies ensure that any future constitutional negotiations not lead to the breakup of our country;

AND BE IT FURTHER RESOLVED THAT this resolution be sent to the Prime Minister of Canada and the Minister of Intergovernmental Affairs, and to the Premier of Quebec, Members of the National Assembly, Members of Parliament, all Provincial Legislatures and the Federation of Canadian Municipalities.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1.

CARRIED.

RESOLUTION ON CORRECTIONS FACILITY

Council agreed to move in-camera to discuss private and confidential items respecting the Corrections Facility Council reconvened in public session.

Re: Corrections Facility

It was moved by Alderman Horwath and seconded by Alderman Corsini that staff be directed to prepare an Interim Control By-law respecting the location of Correction Facilities City wide.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Kelly, D'Amico, O'Sullivan. -9.

NAYS: Aldermen Caplan, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson. -8.

CARRIED.

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Re: Corrections Facility

It was moved by Alderman Horwath and seconded by Alderman Corsini that the City pursue Judicial Review and Injunction respecting the decision of Corrections Canada on the location of facilities in Hamilton's downtown community.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Kelly, D'Amico, O'Sullivan. -11.

NAYS: Aldermen Kiss, Eisenberger, Collins, Charters, Jackson, Anderson. -6.

CARRIED.

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Re: Corporate Counsel - Manulife

It was moved by Alderman Horwath and seconded by Alderman Corsini that Corporate Counsel be directed to meet with Manulife to discuss the possibility of collaborative efforts with them on court action.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Horwath, Corsini, D'Amico. -4.

NAYS: Aldermen Kiss, Caplan, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -13.

LOST.

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Re: Corrections Facility

It was moved by Alderman Eisenberger and seconded by Alderman Horwath that the Mayor and Members of City Council organize a lobbying effort with Members of Parliament and Ministry of Correctional Services Staff to find an alternate solution to the Federal Correctional Services Facility location at 126 Main Street East.

CARRIED.

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It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Committee of the Whole, the Report of His Worship Mayor R. M. Morrow, and the City of Hamilton Licensing Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

January 26, 1999

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City Council then adjourned at 10:45 o'clock p.m.

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Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**Kevin C. Christenson
Acting Municipal Clerk
January 26, 1999
KCC/dg**

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FIRST** Report for 1999 and respectfully recommends:

1. **East Side of Bell Avenue, south of Queenston Road – Parking Regulations**

That the existing "No Parking – Loading Only" regulation on the east side of Bell Avenue, commencing 155 feet south of Queenston Road and extending to a point 30 feet southerly therefrom be removed, and that the City Traffic By-law 89-72 be amended accordingly.

2. **No. 81 East 23rd Street – Discharge of Residential Boulevard Parking Agreement**

- (a) That the existing Residential Boulevard Parking Agreement registered as Instrument No. 102204 C.D. to the property at No. 81 East 23rd Street be discharged, at the property owner's expense; and,
- (b) That the City/Regional Solicitor be authorized and directed to process the documents in relation to the discharge of this agreement; and,
- (c) That the owner of the property be permitted to execute a revised Residential Boulevard Parking Agreement.

3. **No. 24 Allan Avenue – Request for a Reserved "Permit Parking" Space for a Disabled Resident**

- (a) That a "Permit Parking" regulation be implemented on the south side of Allan Avenue commencing at a point 222 feet east of Harmony Avenue and extending to a point 21 feet easterly therefrom, and that the City Traffic By-law 89-72 be amended accordingly; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Phyllis Balogh, 24 Allan Avenue.

4. **Delmar Drive, east of Columbia Drive – Parking Regulations**

- (a) That the hours of the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on both sides of Delmar Drive commencing at Columbia Drive and extending to a point 597 feet easterly therefrom be revised such that the regulation is in effect until 9:00 p.m.; and,
- (b) That a full-time "No Parking" regulation be implemented on the north side of Delmar Drive commencing at Columbia Drive and extending to a point 71 feet easterly therefrom; and,
- (c) That the City Traffic By-law 89-72 be amended accordingly.

5. **Laurier Avenue adjacent to Buchanan Park School – Parking Regulations**

That a "No Stopping, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the south and west sides of Laurier Avenue from Columbia Drive to South Bend Road West, and that the City Traffic By-law 89-72 be amended accordingly.

6. **No. 61 Picton Street West – Request to Remove a Reserved "Permit Parking" Space for a Disabled Resident**

That the existing "Permit Parking" regulation on the south side of Picton Street West commencing at a point 134 feet east of Bay Street North and extending to a point 21 feet easterly therefrom be removed, and that the City Traffic By-law 89-72 be amended accordingly.

7. **No. 185 Fairfield Avenue – Request to Remove a Reserved "Permit Parking" Space for a Disabled Resident**

That the existing "Permit Parking" regulation on the west side of Fairfield Avenue commencing at a point 183 feet south of Britannia Avenue and extending to a point 23 feet southerly therefrom, and on the east side of Fairfield Avenue commencing at a point 167 feet south of Britannia Avenue and extending to a point 24 feet southerly therefrom be removed, and that the City Traffic By-law 89-72 be amended accordingly.

8. South Side of Crockett Street, east of East 32nd Street – Parking Regulations

- (a) That the existing "No Parking, 8:30 a.m. to 5:00 p.m., Monday to Saturday" regulation on the south side of Crockett Street commencing at a point 25 feet east of East 32nd Street and extending to a point 60 feet easterly therefrom be removed; and,
- (b) That a "30 Minute Parking Time Limit, 9:00 a.m. to 7:00 p.m., Seven Days a Week" regulation be implemented on the south side of Crockett Street commencing at a point 52 feet east of East 32nd Street and extending to a point 51 feet easterly therefrom; and,
- (c) That the City Traffic By-law 89-72 be amended accordingly.

9. Parking Regulations on East 36th Street adjacent to Peace Memorial School

- (a) That the existing "Taxi Stand" regulation on the east side of East 36th Street commencing at a point 158 feet north of Munn Street and extending 44 feet northerly be revised such that it is in effect from 7:00 a.m. to 6:00 p.m., Monday to Friday, and is only 22 feet in length; and,
- (b) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of East 36th Street commencing at a point 180 feet north of Munn Street and extending 22 feet northerly; and,
- (c) That the City Traffic By-law 89-72 be amended accordingly.

10. Crockett Street from East 39th Street to Upper Gage Avenue – Parking Regulations

That a "No Stopping Anytime" regulation be implemented on both sides of Crockett Street from East 39th Street to Upper Gage Avenue and on the north side of Crockett Street from East 37th Street to East 38th Street, and that the City Traffic By-law 89-72 be amended accordingly.

11. Elaine Court, north of Sinclair Court – Parking Regulations

That the existing "No Parking" regulation on the west side of Elaine Court between Sinclair Court and the northerly end be removed, and that the City Traffic By-law 89-72 be amended accordingly.

12. **No. 59 Keith Street – Request to Remove a Reserved "Permit Parking" Space**

That the existing full-time reserved "Permit Parking" regulation on the north side of Keith Street, commencing at a point 164 feet east of Douglas Street and extending to a point 21 feet easterly therefrom, be removed and that the City Traffic By-law be amended accordingly.

13. **Beach Road between Avondale Avenue and Albemarle Avenue – Parking Regulations**

- (a) That a "Permit Parking" regulation be implemented on the north side of Beach Road between Avondale Avenue and Albemarle Avenue; and,
- (b) That a "No Stopping" regulation be implemented on the north side of Beach Road
 - (i) commencing at a point 61 feet east of Avondale Avenue and extending to a point 22 feet easterly therefrom; and,
 - (ii) commencing at a point 103 feet east of Avondale Avenue and extending to a point 58 feet easterly therefrom; and,
- (c) That the existing by-law entry allowing for a "No Parking 7:00 a.m. to 4:00 p.m., Monday to Saturday" regulation on the north side of Beach Road, commencing 61 feet east of Avondale Avenue and extending 97 feet easterly therefrom be rescinded; and,
- (d) That the City Traffic By-law 89-72 be amended accordingly; and,
- (e) That the Commissioner of Public Works and Traffic be authorized to issue, upon request, up to a maximum of 5 parking permits to eligible abutting residents.

14. **No. 65 Marion Avenue – Request to Relocate a Reserved "Permit Parking" Space for a Disabled Resident**

- (a) That the by-law entry allowing for a "Permit Parking" regulation on the west side of Bond Street South commencing at a point 25 feet north of Marion Avenue and extending to a point 22 feet northerly therefrom be revised such that the regulation commences at a point 48 feet north of Marion Avenue and extends to a point 22 feet northerly therefrom; and,
- (b) That the by-law entry allowing for a "Permit Parking" regulation on the east side of Bond Street South commencing at a point 63 feet north of Marion Avenue and extending to a point 22 feet northerly therefrom be rescinded; and,
- (c) That the City Traffic By-law 89-72 be amended accordingly.

15. **Hess Street North, north of Barton Street West – Parking Regulations**

That a "No Parking, 7:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the west side of Hess Street North commencing at a point 110 feet north of Barton Street West and extending to a point 129 feet northerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

16. **Parking Regulations on Glen Echo Drive adjacent to Glen Echo School**

That a "No Stopping, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the west side of Glen Echo Drive from Secord Drive to 208 feet north of the south leg of Loyalist Drive and from 106 feet north of the south leg of Loyalist Drive to Rainbow Drive, and that the City Traffic By-law 89-72 be amended accordingly.

17. **Parking Regulations on Kingslea Drive adjacent to Huntington Park School**

That a "No Stopping, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the west side of Kingslea Drive from Broker Drive to 180 feet southerly and from 267 feet south of Broker Drive to Sandalwood Drive, and that the City Traffic By-law 89-72 be amended accordingly.

18. **Intersections of John Street North and Simcoe Street East and John Street North and Picton Street East – Intersection Control**

That all-way stop control be implemented at the intersections of John Street North and Simcoe Street East and John Street North and Picton Street East, and that the City Traffic By-law 89-72 be amended accordingly.

19. **No. 18 Barons Ave. – Request to Remove a "No Stopping, Wheelchair Loading Zone"**

That the existing "No Stopping, Wheelchair Loading Only, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the east side of Barons Avenue North, commencing at a point 190 feet north of Main Street East and extending to a point 18 feet northerly therefrom, be removed and that the City Traffic By-law 89-72 be amended accordingly.

20. **Hess Street Village Pedestrian Mall By-law No. 80-179 – By-law Amendments**

That in accordance with a request from the Hess Village Mall Authority, the following regulatory and operational changes be made respecting the pedestrian mall on George Street between Queen Street South and Hess Street South:

- (a) That delivery vehicles, no longer be restricted to specified hours of the day; and,
- (b) That vehicles operated by the Hamilton-Wentworth Regional Police, the City of Hamilton, the Regional Municipality of Hamilton-Wentworth, any public utility, any ambulance company, any funeral home or mortuary, any towing agency while performing a towing service or emergency road-side repair, and any Provincial Ministry be included as an "authorized emergency vehicle" to exempt these vehicles from the provisions of the By-law 80-179; and,
- (c) That the Commissioner of Public Works and Traffic be authorized to issue permits exempting permit holders from the provisions of the subject By-law; and,
- (d) That a by-law to amend By-law 80-179 be passed and enacted.

21. **West Side of Grosvenor Avenue North, north of Cannon Street East – Request to Remove a Loading Zone**

That the existing "No Parking, 8:30 a.m. to 5:00 p.m., Monday to Friday" regulation on the west side of Grosvenor Avenue North commencing 51 feet north of Cannon Street East and extending to a point 58 feet northerly therefrom be removed, and that the City Traffic By-law 89-72 be amended accordingly.

22. **No. 44 East 12th Street – Request for a Wheelchair Loading Zone**

That a "Wheelchair Loading Zone, 9:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the west side of East 12th Street commencing at a point 179 feet north of Mountville Avenue and extending to a point 19 feet northerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

23. **West Side of Redmond Drive, north of Stone Church Road East – Driveway Clearance**

That a full-time "No Stopping" driveway clearance be implemented on the west side of Redmond Drive, commencing at a point 240 feet north of Stone Church Road East and extending to a point 92 feet northerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

24. **Discharge of Outdoor Boulevard Cafe Agreement, 5 King William Street**

- (a) That the Outdoor Boulevard Cafe Agreement for 5 King William Street, registered as Instrument No. 413656CD, be discharged; and,
- (b) That the Mayor and Municipal Clerk be authorized and directed to execute the discharge documents for the Outdoor Boulevard Cafe Agreement, registered as Instrument No. 413656CD, in a form satisfactory to the Law Department.

25. **To Incorporate Certain City Land into Various Streets by By-laws**

- (a) That the following City land be incorporated into the following streets:

Jacqueline Boulevard	Block 35	Plan 62M-830
Meadowpoint Drive	Block 24	Plan 62M-853
Market Street	Part 1	Plan 62R-12288
Sinena Drive	Parts 2 and 5	Plan 62R-8055

- (b) That the By-laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the Corporate Counsel and be enacted by Council; and,
- (c) That the Commissioner of Transportation be authorized and directed to register the By-laws.

26. **1998 Servicing Expenditures Related to Subdivisions**

- (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated costs of services in

"Eaglewood Estates – Phase 2", Hamilton

City's share \$ 43,773.00, Owner's share \$ 59,674.00

"Falconstone Estates", Hamilton

City's share -NIL-, Owner's share \$ 211,613.00

"Wellington Estates - Phase 1", Hamilton

City's share \$26,693.65, Owner's share \$ 144,628.39; and,

- (b) That the Mayor and Municipal Clerk be authorized and directed to execute the proposed Subdivision Agreements with the Owners of "Eaglewood Estates – Phase 2", "Falconstone Estates", "Wellington Estates – Phase 1", Hamilton as well as and any other related documents for these Subdivisions subject to the approval of the City Solicitor; and,

- (c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,
- (d) In the event that the owner wishes to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered the owner should be allowed to do so at their own risk provided that the owner enters into a standard agreement with the City of Hamilton for pre-servicing.

27. Keep Hamilton Clean Committee – Appointment of New Members

- (a) That the Keep Hamilton Clean Committee appoint one "alternate" member for a term of up to three (3) years, such alternate would at all times have voice but vote only when a regular member is absent; and,
- (b) That the following citizens be appointed to the Keep Hamilton Clean Committee for a three (3) year term to expire December 31, 2001:

Jim Auty
Claudette Kabitsis
Joel Begin
Jim Gladun

- (c) That the following citizen be appointed to the Keep Hamilton Clean Committee for a two (2) year term to expire December 31, 2000:

Clare Greeson

- (d) That the following citizen be appointed as an "alternate" member with a three (3) year term to expire on December 31, 2001.

John Nieminen

28. Rationalization of Regional Road System

- (a) That the City of Hamilton indicate to the Regional Municipality of Hamilton-Wentworth that it endorses the basic concept of transfer of roadways from Regional jurisdiction to City of Hamilton jurisdiction as per reports RDS97117a and RDS97117b; and,
- (b) That the Regional Municipality of Hamilton-Wentworth be requested as part of the road rationalization not to transfer the roads listed on Appendix "A", attached hereto; and,

- (c) That the Regional Municipality of Hamilton-Wentworth be requested as part of the road rationalization to retain Fennell Avenue from Garth Street to Upper Ottawa Street as a Regional road and transfer instead Concession Street from the Jolley Cut to Upper Ottawa Street, and that the appropriate changes in transfers be made to Upper Wellington Street, Upper Wentworth Street, Upper Gage Street and Upper Ottawa Street to ensure a continuous Regional road system; and,
- (d) That the Regional Municipality of Hamilton-Wentworth be requested to identify the net capital cost and maintenance cost of roads to be transferred to the City of Hamilton which is currently being charged to the City in the form of a Regional levy; and,
- (e) That the Region be requested to confirm as part of the roads Rationalization, that outstanding works will be completed by the Region, using funding as approved by the Region.

29. 1999 Proposed Road and Sidewalk Capital Improvement Program

- (a) That the Commissioner of Transportation be authorized, on an interim basis, to proceed with the calling of tenders for part of the projects in relation to the 1999 Road and Sidewalk Capital Improvement Programme, attached hereto as Appendix "B" in an amount not to exceed \$3,000,000 , prior to the final Capital Budget approval; and,
- (b) That the Commissioner of Public Works and Traffic and the Commissioner of Transportation be authorized to undertake these works on behalf of the City of Hamilton once all the necessary approvals have been received.

30. User Fee for Driveway Approach Ramp Installations

- (a) That the user fee for driveway approach ramp installations and repairs provided by the Public Works and Traffic Department be raised from the existing rate of \$66 per square metre to \$99.33 per square metre, effective for all estimates given from January 1, 1999; and,
- (b) That the increased user fee revenues be a component in the 1999 Departmental current budget reductions, recognizing a one-year transition for project commitments previously given at the lower per square metre rate.

31. Restore the Core – Downtown Hamilton Improvement Plan

- (a) That functional drawings of the Hess and George Street improvements, a component of the "Restore the Core" Phase III - 1999 project, be approved in principle; and,
- (b) That "Restore the Core" Phase III – 1999 Capital Project, in the amount of \$2,150,000, including Hess and George Street Improvements, be forwarded to the Finance and Administration Committee for consideration for funding and construction in advance of the normal Capital Budget process to facilitate completion of the capital budget works in 1999 with minimal disruption to the community.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Eisenberger, Collins, Charters, Jackson, D'Amico, O'Sullivan. -10.

NAYS: Aldermen Kiss, Morelli, Haining, Copps, Wilson, Anderson, Kelly. - 7.

CARRIED.

32. Proposed Roadway Alteration of Hess Street South between King and Jackson Streets and George Street from Hess Street South to approximately 65 m Easterly

- (a) That the proposed alteration of Hess Street South from King to Jackson Streets to provide for a road width varying from 6.2m to 9.0m and George Street from Hess Street South to approximately 65m easterly to provide a road width of 3.3m as shown on Appendix "C", be advertised under Section 300 of the Municipal Act being Chapter M.45 of the Revised Statutes of Ontario 1990; and,
- (b) That the necessary By-laws be prepared by the Commissioner of Public Works and Traffic in a form satisfactory to the City Solicitor and advertised by the Municipal Clerk.

33. Vendor Program for Selected Street Locations - Authority to Issue Request for Proposals

- (a) That the Commissioner of Public Works and Traffic be authorized to finalize and issue a Request for Proposals to solicit vendor operators for approved locations based on a term of three years commencing 1999; and,

(b) That the following locations be approved for vendor operations:

One vendor at:

Southwest corner – James Street and King Street West
Stelco Tower (north side of King Street West)

City Hall forecourt

Court House (between Hughson St. and John St. S.)

Northeast corner – King St. W. and Bay St. at
Standard Life Building;

Southeast corner – Bay Street and York Street

Bay Street at Copps Coliseum – main entrance to box
office;

and,

(c) That a Review Committee comprised of the Commissioner of Public Works and Traffic (or designate), the Special Events Liaison Officer and Purchasing Division representative be authorized to receive and review submissions using evaluation criteria attached to this report and dated November 1998 and recommend vendor operators for consideration by the T&E Committee, exclusive of the HECFI/Copps Coliseum locations; and,

(d) That the General Manager, Finance, be requested to ensure that appropriate accounting procedures are in place for the program; and,

(e) A draft agreement be prepared in a form satisfactory to the City/Regional Solicitor for recommendation by the Review Committee. **REFERRED BACK.**

34. Snow Removal – January 1999

- (a) That the Commissioner of Public Works and Traffic be authorized to continue doing whatever is necessary, within existing policy, for snow removal in the City of Hamilton; and,
- (b) That the Commissioner of Public Works and Traffic and the General Manager, Finance, be requested to report back to the Transport and Environment Committee on the potential methods of financing any resulting deficit.

35. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws.

- (a) A-1 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic

January 26, 1999

- (b) A-2 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic
- (c) A-3 A By-law to Incorporate City Land Designated as Part 1 on Plan 62R-12298 into Market Street
- (d) A-4 A By-law to Incorporate City Land Designated as Parts 2 and 5 on Plan 62R-8055 into Sinena Drive
- (e) A-5 A By-law to Incorporate City Land Designated as Block 24 on Plan 62M-853 into Meadowpoint Drive
- (f) A-6 A By-law to Incorporate City Land Designated as Block 35 on Plan 62M-830 into Jacqueline Boulevard

Respectfully Submitted,

**ALDERMAN CHAD COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Carolyn Biggs
Acting Secretary
January 18th, 1999**

Roads Proposed for Transfer from the Region to the City of Hamilton which the City requests not be transferred.

Street	From	To
Crockett	Sherman Cut	Upper Sherman
Dundurn	York	Aberdeen
Fennell *	Garth	Upper Ottawa
Grays	South Service Road	South City Limits
Ottawa	Industrial	Main
Sherman Cut	Sherman Access	Crockett
Sherman Access	Charlton	Kenilworth
Upper Sherman	Crockett	Rymal
Upper Wellington	Concession	Rymal
West 5 th	Claremont Access	Fennell

- Note: Fennell, Garth to Upper Ottawa is to be substituted for Concession, Upper Wellington to Upper Ottawa as per recommendation (c) of this report. To effect this change Upper Wentworth, Concession to Fennell and Upper Gage, Concession to Fennell will be transferred to the City.

Roads Which will have to be Transferred from the Region to the City of Hamilton to Allow for the Change from Concession to Fennell as a Regional road:

Street	From	To
Concession	Upper Wellington	Upper Ottawa
Upper Wentworth	Concession	Fennell
Upper Gage	Concession	Fennell

D. Supplementary List - Streets may be done in the order listed if residual funds are available

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
West 1 st Street	Fennell	Richwill	-road reconstruction-sidewalk reconstruction -both sides-in conjunction with Regional sewer and watermain work	\$673,000
Stewartdale	Greenhill	Montrose	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work	\$467,000
Gledhill Crescent	Galt	Brigadoon	-sidewalk reconstruction-both sides	\$153,000
Hester Street	Upper James	Upper Wellington	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work	\$569,000
East 33 rd Street	Fennell	Bruceedale	-road reconstruction-sidewalk reconstruction-both sides	\$176,000
TOTAL D				\$2,038,000

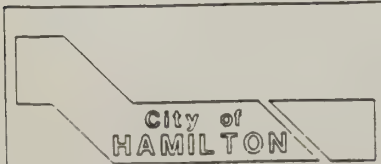
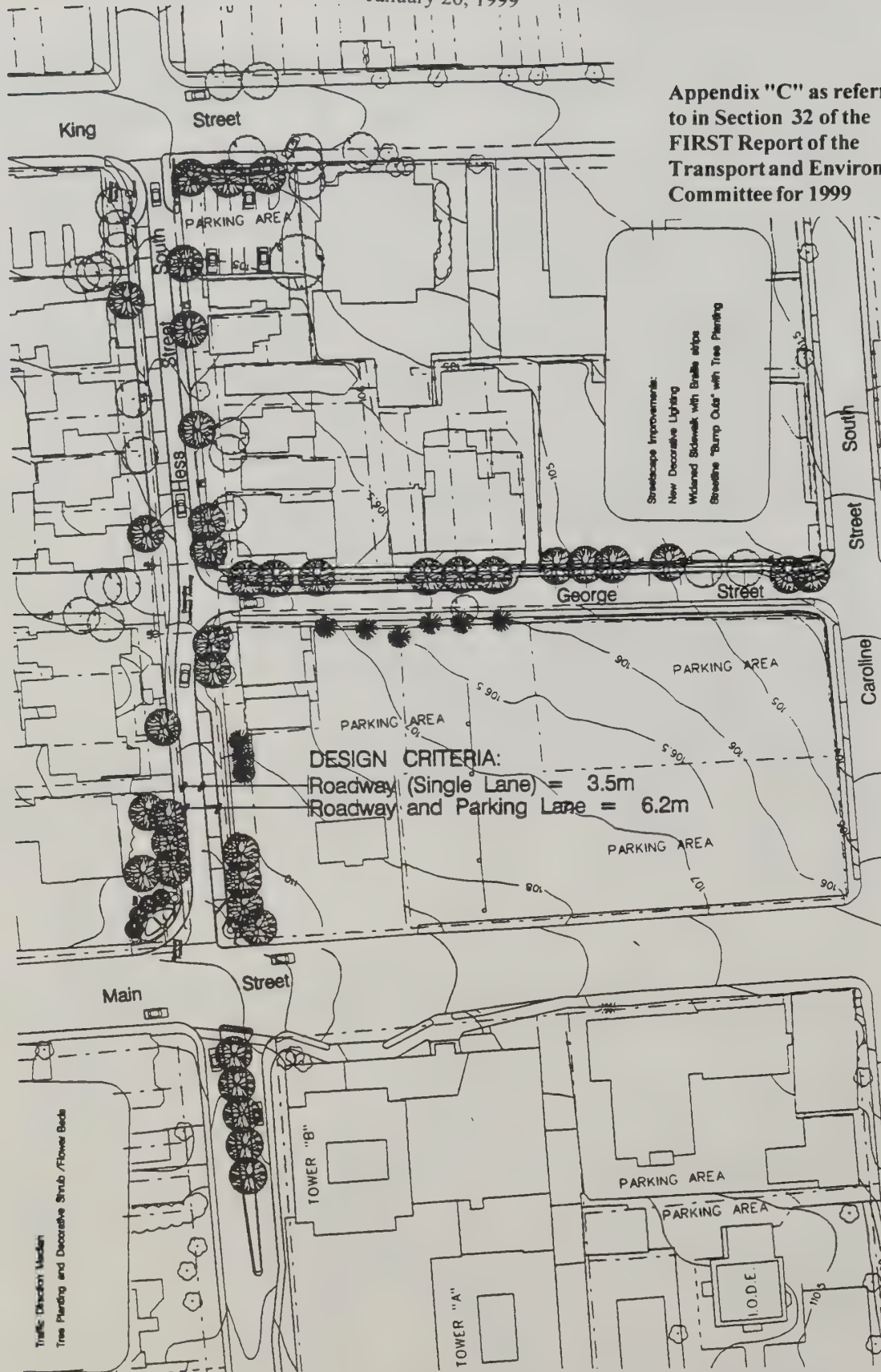
Appendix "B" as referred
to in Section 29 of the
FIRST Report of the
Transport and Environment
Committee for 1999

* Projects proposed to be tendered early in 1999 totalling \$3,000,000

99 01 21

January 26, 1999

Appendix "C" as referred
to in Section 32 of the
FIRST Report of the
Transport and Environment
Committee for 1999



Project

Hess and George Street
Streetscape Development

Title

Site Plan

Date Jan./99

Scale 1:1250

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FIRST** Report for 1999 and respectfully recommends:

1. **Appointment of Local Representatives to the Arts Advisory Commission**

- (a) That the following representatives of local arts organizations be appointed to the Arts Advisory Commission for the 1999 Term of Office:

Tricia Naber – Dundas Valley School of Art
Catherine Pead, Ontario Workers Arts & Heritage Centre
Brenda Faloney – Theatre Aquarius
Peter Rogers, Hamilton Public Library Board
Shelagh Snider, New Faces
Richard Birney-Smith, Te Deum Orchestra and Singers; and,

- (b) That Patti Beckett be appointed as the Hamilton and Region Arts Council representative to serve on the Arts Advisory Commission for the 1999 Term.

2. **Glen Manor – The Veever's Home, Extension to Residential Tenancy and Consultant Agreements**

That the City's lease of 22 Veevers Drive and Consultant Contract with Neil Tomlinson be extended from January 31, 1999 to May 31, 1999 on the same terms as the existing lease and Consultant Contract and that the Mayor and Municipal Clerk be authorized to execute lease and consultant amending agreements in a form satisfactory to the Commissioner of Public Works and Traffic and the City/Regional Solicitor.

3. **Appointment of Members to the New Crystal Palace Sub-Committee**

- (a) That the compliment of the New Crystal Sub-Committee be reduced from 11 to 10 members (2 members of City Council and 8 citizen members), and;

- (b) That the following people be appointed to the New Crystal Palace Sub-Committee for a term to expire November 30, 2000:

Ernie Seager
Alan Bowler
Frank DeNardis

Eleanor Morrow
John Crawford
Dave Gerrie
Dave MacLennan
Joe Pavelka

4. **Hamilton Tiger Cat Football Club, Beer Garden and Fireworks Approval**

- (a) That approval, as required by Parks By-law 95-126, as amended, Section 11 and 5, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to the Hamilton Tiger Cat Football Club (1097694 Ontario Limited) to hold a beer garden as part of a pre-game party in the east end of Brian Timmis Stadium or in the west end zone area of Ivor Wynne Stadium; and,

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

- (b) That approval as required by Section 17(1) and Section 26 of the Fireworks By-law 90-198 and Section 11 of the Parks By-law 95-126, be given to the Hamilton Tiger Cat Football Club to hold a low-level Fireworks Display at each home game, subject to the Special Events Guidelines; and,
- (c) That (a) and (b) are approved for the following dates:
- | | |
|--------------------------|--------------------|
| Thursday July 1, 1999 | 5:30 – 7:00 p.m. |
| Friday July 16, 1999 | 5:30 – 7:00 p.m. |
| Thursday July 29, 1999 | 5:30 – 7:00 p.m. |
| Thursday August 5, 1999 | 5:30 – 7:00 p.m. |
| Thursday August 19, 1999 | 5:30 – 7:00 p.m. |
| Monday Sept 6, 1999 | 11:00 – 12:30 p.m. |
| Saturday Sept 18, 1999 | 2:00 – 3:30 p.m. |
| Saturday Sept 25, 1999 | 1:00 – 2:30 p.m. |
| Saturday Oct 16, 1999 | 1:00 – 2:30 p.m. |

Saturday Nov 6, 1999	2:00 – 3:30 p.m.
*Sunday Nov 14, 1999	11:00 – 12:30 p.m.
*Sunday Nov 21, 1999	11:00 – 12:30 p.m.

Tentative Home playoff game

5. Contract with Patriot Enterprises, Signage on Golf Courses

- (a) That the City agree to terminate the sign display contract dated January 31, 1996 between 952532 Ontario Ltd. carrying on business as Patriot Signs and the City of Hamilton; and,
- (b) That the Mayor and Municipal Clerk be authorized to execute a termination contract satisfactory to the City Solicitor.

6. Turner Park – Designation as Site for Future South Mountain Complex

That Turner Park be designated as the site for the future development and construction of the South Mountain Police Station/Library/Recreation Centre complex.

7. Review of Service Levels – Library Board

That the Library Board be requested to undertake a review regarding service levels south of Main Street and east of Locke Street in the lower City. **LOST.**

SEE SECTION 12 OF THIS REPORT FOR REPLACEMENT.

Recorded vote.

YEAS: Aldermen Kiss, Copps. –2.

NAYS: Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –14.
LOST.

8. **Vendor and Concession Programs for Selected Park Locations: Authority to Issue Requests for Proposals**

- (a) That the Commissioner of Public Works and Traffic be authorized to finalize and issue a Request for Proposals to solicit vendor operators for locations described in Appendix "A" attached hereto and dated November 1998 at Pier 4, Bayfront Park and Gage Park based on a term of 3 years commencing in 1999; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to finalize and issue a Request for Proposals to solicit concessionaires for Bayfront and T.B. McQuesten Parks based on a term of 5 years commencing in 1999; and,
- (c) That a Review Committee comprised of the Commissioner of Public Works and Traffic (or designate), the Special Events Liaison Officer and Purchasing Division representative be authorized to receive and review submissions using evaluation criteria attached to this report dated November 1998 and recommend vendor and concession operations for consideration by the Parks and Recreation Committee; and,
- (d) That the General Manager, Finance be requested to ensure that appropriate accounting procedures are in place for this program; and,
- (e) That draft agreements be prepared for vendor and concession operations, in a form satisfactory to the City/Regional Solicitor for recommendation by the Review Committee.

9. **Sir Wilfred Laurier School/Bishop Ryan Secondary School, Construction of Soccer Fields**

- (a) That the City of Hamilton enter into a joint use agreement with the Hamilton District Board of Education for a 16,190 m² (more or less) of land located at Sir Wilfred Laurier School for the sum of \$1 per annum to construct and maintain three (3) mini soccer fields; and,
- (b) That the City enter into a joint use agreement with the Hamilton-Wentworth Roman Catholic Separate School Board for a 30,190 m² (more or less) of land located at Bishop Ryan Secondary School for a sum of \$1 per annum to construct two (2) and maintain three (3) soccer fields; and,
- (c) That the agreements with the Hamilton District Board of Education and Hamilton-Wentworth Roman Catholic Separate School Board shall be in a form satisfactory to the City Solicitor; and,

- (d) That the Mayor and Municipal Clerk be authorized to sign the lease agreements.

10. Ivor Wynne Stadium – Request from Hamilton Tiger Cat Football Club to Lift Smoking Ban on Stadium

That the Region of Hamilton-Wentworth be requested to amend the Tobacco Control By-law to permit smoking in Ivor Wynne Stadium for Hamilton Tiger Cat football games in response to a request from the Football Club. **REFERRED BACK TO THE FINANCE AND ADMINISTRATION COMMITTEE.**

11. Friends of the Aviary – Continuation of 1998 Pilot Maintenance Program and Funding Transfer for 1999

- (a) That the pilot maintenance program initiated in 1998 for maintenance of lawn areas, ornamental beds, garden plots and minor repairs associated with upkeep of Hamilton's Aviary by the Volunteer Executive Committee of the Aviary be continued for May 1 to October 15, 1999; and,
- (b) That the funds be transferred from the Department of Public Works and Traffic, Parks Division Operating Budget Account No. CH51401 62110 to the Friends of the Aviary to be used to retain their seasonal staff during this period; and,
- (c) That the City Treasurer be authorized to transfer an amount totaling \$7,000 to the Friends of the Aviary, one installment payable April 1, 1999; and,
- (d) That subject to the determination of the Commissioner of Public Works and Traffic, this program be authorized to continue annually beyond 1999.

12. That the Hamilton Public Library Board be requested to appear before the Parks and Recreation Committee to address current service levels. **ADDED.**

Respectfully Submitted,

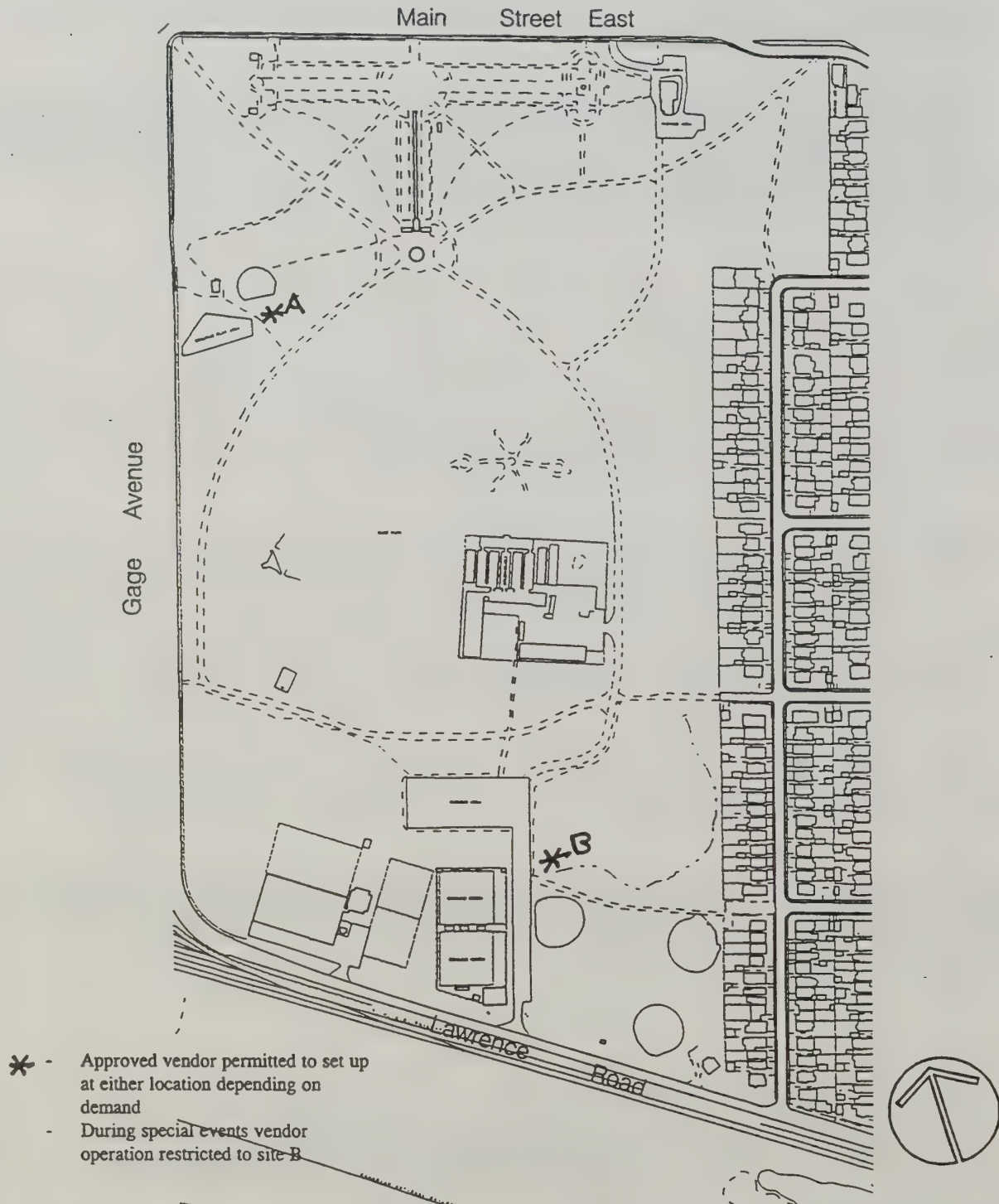
**ALDERMAN BERNIE MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

Tina Agnello, Secretary

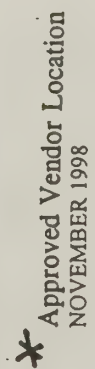
January 18th, 1999

January 26, 1999

Appendix "A" as referred
to in Section 8 (a) of the
First Report of the
Parks and Recreation
Committee for 1999



	Project	GAGE PARK	Date	NOV/98
	Title	VENDOR OPERATIONS	Scale	1:4000
			Dwg. No.	RTE. 4 5



* Approved Vendor Location
NOVEMBER 1998



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIRST** Report for 1999 and respectfully recommends:

1. **Zoning Application 98-40, by Pricewaterhouse Coopers Inc., owner, for a modification to the "JJ" District, for lands located at 2701 Barton Street East.**
 - (a) That approval be given to Zoning Application ZAR-98-40, Pricewaterhouse Coopers Inc., owner, for a modification to the "JJ"(Restricted Light Industrial) District regulations, to permit the existing uses (rental, sales, servicing and outside storage of construction and industrial equipment), on lands located at 2701 Barton Street East, as shown on the attached map marked as Appendix "A", subject to the following:
 - (i) That the "JJ" (Restricted Light Industrial) District regulations, as contained in Section 16A of By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special provision:

That notwithstanding Section 16A.(1) of Zoning By-law No.6593, the rental, sales, servicing and outdoor storage of construction and industrial equipment shall be permitted; and,
 - (ii) That the amending by-law be added to Section 19B of Zoning By-law No.6593 as Section S-1422 , and the subject lands on Zoning District Map E-123 be notated S-1422; and,
 - (iii) That the City/Regional Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-123, for presentation to City Council; and,
 - (iv) The proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
 - (b) The the amending by-law not be forwarded to City Council for approval until the applicant has applied for and received approval of a Commercial Boulevard Parking Agreement with the City, or the applicant has removed the parking area between the access driveways and landscaped the boulevard to the satisfaction of the Director of Public Works and Traffic.

2. Zoning Application 98-41, by 1169990 Ontario Inc. (Robert McDowell) owner, for a further modification to the "HH" District for property located at 775-779 Upper Wentworth Street.

- (a) That approval be given to amended Zoning Application 98-41, 116990 Ontario Inc. (Rob McDowell), owner, for a further modification to the "HH" (Restricted Community Shopping and Commercial etc.) District to allow a laser eye clinic on the property located at 775 – 779 Upper Wentworth Street, as shown on the attached map marked as Appendix "B", subject to the following:
 - (i) That the "HH" (Restricted Community Shopping and Commercial, etc.) District regulations, as contained in Section 14A of Zoning By-law No. 6593 as amended by By-law 96-123, applicable to the subject lands be further modified to include the following variances as special provision:
 - (1) That notwithstanding Section 14A. of Zoning By-law No. 6593 and Committee of Adjustment decision A-97:229, either a laser eye clinic or dental office having a maximum gross floor area of 340.5 m² (3,665 S.F.) shall be permitted only within the building existing on the day of passing of this by-law; and,
 - (2) That notwithstanding Section 14A. of Zoning By-law No. 6593, the business identification ground sign existing on the date of the passing of this by-law shall be permitted; and,
 - (ii) That the amending by-law be added to Section 19B of Zoning By law No. 6593 as Section S -1348a, and that the subject lands on Zoning District Map E-27 be notated S -1348a; and,
 - (iii) That the City Solicitor be directed to prepare a By-law to amend zoning By-law No. 6593 and Zoning District Map E-27, for presentation to City Council; and,
 - (iv) That this proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That the owner apply for and receive approval of the appropriate encroachment agreement with the Region of Hamilton-Wentworth for the existing business identification ground sign, if required.

3. City Initiative 98-E, Review of Landscape Regulations and Design Standards for "commercial" uses.

That approval be given to City Initiative CI-98-E, to provide for an amendment to Zoning By-law No. 6593, by introducing new regulations for landscape areas related to "Commercial" uses, on the following basis:

- (a) That the "G" (Neighbourhood Shopping Centre, Etc.) District regulations as contained in Section 13 of Zoning By-law No. 6593 be amended by adding the following new subsection:

Landscape Requirements

- (9) (a) A planting strip of not less than 1.5 metres in width shall be provided and maintained along every side lot line and rear lot line adjoining a residential district or use, except for the area used for access driveway, and;
- (b) Where any parking space or manoeuvring space is adjacent to a street line, a landscaped area having a minimum average width of 2.0 metres, but not less than 1.0 metre in width, shall be provided and maintained along the entire street line except for the area used for access driveway.

- (b) That the "G-1" (Designed Shopping Centre) District regulations as contained in Section 13A of Zoning By-law No. 6593 be amended by adding the following new subsection:

- (9) (a) A planting strip of not less than 1.5 metres in width shall be provided and maintained along every side lot line and rear lot line adjoining a residential district or use, except for the area used for access driveway, and;
- (b) Where any parking space or manoeuvring space is adjacent to a street line, a landscaped area having a minimum average width of 2.0 metres, but not less than 1.0 metre in width, shall be provided and maintained along the entire street line except for the area used for access driveway.

- (c) That the "G-2" (Regional Shopping Centre) District regulations as contained in Section 13B of Zoning By-law No. 6593 be amended by adding the following new subsection:

Landscape Requirements

- (11) (a) A planting strip of not less than 1.5 metres in width shall be provided and maintained along every side lot line and rear lot line adjoining a residential district or use, except for the area used for access driveway, and;
 - (b) Where any parking space or manoeuvring space is adjacent to a street line, a landscaped area having a minimum average width of 2.0 metres, but not less than 1.0 metre in width, shall be provided and maintained along the entire street line except for the area used for access driveway.
- (d) That the "G-4" (Designed Neighbourhood Shopping Area) District regulations as contained in Section 13D of Zoning By-law No. 6593 be amended by adding the following new subsection:

Landscape Requirements

- (7) (a) A planting strip of not less than 1.5 metres in width shall be provided and maintained along every side lot line and rear lot line adjoining a residential district or use, except for the area used for access driveway, and;
 - (b) Where any parking space or manoeuvring space is adjacent to a street line, a landscaped area having a minimum average width of 2.0 metres, but not less than 1.0 metre in width, shall be provided and maintained along the entire street line except for the area used for access driveway.
- (e) That the "H" (Community Shopping and Commercial, Etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593 be amended by adding the following new subsection:

Landscape Requirements

- (9) (a) A planting strip of not less than 1.5 metres in width shall be provided and maintained along every side lot line and rear lot line adjoining a residential district or use, except for the area used for access driveway, and;
- (b) Where any parking space or manoeuvring space is adjacent to a street line, a landscaped area having a minimum average width of 2.0 metres, but not less than 1.0 metre in width, shall be provided and maintained along the entire street line except for the area used for access driveway.

- (f) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of Zoning By-law No. 6593 be amended by adding the following new subsection:

Landscape Requirements

- (7) (a) A planting strip of not less than 1.5 metres in width shall be provided and maintained along every side lot line and rear lot line adjoining a residential district or use, except for the area used for access driveway, and;
- (b) Where any parking space or manoeuvring space is adjacent to a street line, a landscaped area having a minimum average width of 2.0 metres, but not less than 1.0 metre in width, shall be provided and maintained along the entire street line except for the area used for access driveway.
- (g) That the "I" (Central Business, Etc.) District regulations as contained in Section 15 of Zoning By-law No. 6593 be amended by adding the following new subsection:

Landscape Requirements

- (9) (a) A planting strip of not less than 1.5 metres in width shall be provided and maintained along every side lot line and rear lot line adjoining a residential district or use, except for the area used for access driveway, and;
- (b) Where any parking space or manoeuvring space is adjacent to a street line, a landscaped area having a minimum average width of 2.0 metres, but not less than 1.0 metre in width, shall be provided and maintained along the entire street line except for the area used for access driveway.
- (h) That the "HI" (Civic Centre Protected) District regulations as contained in Section 15A of Zoning By-law No. 6593 be amended by adding the following new subsection:

Landscape Requirements

- (5) (a) A planting strip of not less than 1.5 metres in width shall be provided and maintained along every side lot line and rear lot line adjoining a residential district or use, except for the area used for access driveway, and;

- (b) Where any parking space or manoeuvring space is adjacent to a street line, a landscaped area having a minimum average width of 2.0 metres, but not less than 1.0 metre in width, shall be provided and maintained along the entire street line except for the area used for access driveway.
- (i) That The “CR-1”, “CR-2” and “CR-3” (Commercial – Residential) District regulations as contained in Section 15B of Zoning By-law No. 6593 be amended by adding the following additional Landscape Requirements:
 - (36) A planting strip of not less than 1.5 metres in width shall be provided and maintained along every side lot line and rear lot line adjoining a residential district or use, except for the area used for access driveway, and;
 - (37) Where any parking space or manoeuvring space is adjacent to a street line, a landscaped area having a minimum average width of 2.0 metres, but not less than 1.0 metre in width, shall be provided and maintained along the entire street line except for the area used for access driveway.
- (j) That the City/Regional Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,
- (k) That the proposed changes in zoning are in conformity with the Official Plan for the City of Hamilton Planning Area.

4. Regulation of Building Materials and Design

WHEREAS Section 41 of the Planning Act permits municipalities to designate areas as Site Plan Control areas to regulate new development;

AND WHEREAS the City of Hamilton Official Plan designates all of the lands within the City of Hamilton as a Site Plan Control Area;

AND WHEREAS the Planning Act permits municipalities to regulate the siting of buildings, points of ingress and egress, landscaping and storm-water management, but not matters of the colour, texture and type of materials, window detail and architectural detail and design;

AND WHEREAS the Commission on Planning and Development Reform in Ontario recommended that the Planning Act be amended to expand the provisions of site plan control to include colour, texture, type of materials, window detail, construction details, architectural detail, and interior design;

AND WHEREAS the Council of the Corporation of the City of Hamilton supported the recommendation of the Commission on Planning and Development Reform in Ontario with respect to amendments to Site Plan Control;

AND WHEREAS new development may comply with the regulations of the City of Hamilton Zoning By-law but may not be compatible with the established character of the surrounding neighbourhood;

AND WHEREAS the Council of the Corporation of the City of Hamilton deem it to be appropriate that new development be evaluated and regulated with respect to matters of architectural detail and design, including colour, texture, and type of materials, window detail and building design to ensure that new development is compatible with existing development and enhances the character of the neighbourhood;

NOW THEREFORE the Council of the Corporation of the City of Hamilton hereby requests the Province of Ontario to amend Section 41 of the Planning Act to expand the provisions of Site Plan Control to enable municipalities to regulate matters of architectural detail and design, including colour, texture, and type of materials, window detail and building design.

AND THAT a copy of this resolution be forwarded to the Association of Municipalities of Ontario.

5. Zoning Application 98-22 by Cantrico Investments Limited, owner, for a modification to the "H" District, for lands located at 1394 Upper Gage Avenue.

That approval be given to Zoning Application ZAC-98-22, Cantrico Investments Inc., owner, for a further modification to the "H" (Community Shopping and Commercial, etc.) District regulations to permit the temporary use of the lands for a third party/billboard sign for a period of 3 years, under Section 39 of the Planning Act, for property located at 1394 Upper Gage Avenue, as shown on the attached map marked as Appendix "C", on the following basis:

- (a) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593, as amended by By-law Nos. 81-190, 81-244 and 82-19, be further modified in accordance with Section 39 of the Planning Act, to the extent only of the special requirements that:
 - (i) A third party/billboard sign shall be permitted for a period being the lesser of three years from the day of the passing of the by-law, or until a Building Permit for residential uses is issued for any of the lands known as 1406 Upper Gage Avenue, and/or the rear of 1400 Upper Gage Avenue, fronting onto Stone Church Road East; and,
 - (ii) Notwithstanding Section 18.(15)(2)(d) of Zoning By-law No. 6593, the third party/billboard sign permitted in (a) above, shall be a minimum of 7.0 m from the westerly lot line; and,

- (b) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-751c, and that the subject lands on zoning District Map E-38C be notated S-751c; and,
- (c) That the City/Regional Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map E-38C for presentation to City Council; and,
- (d) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area. **REFERRED BACK.**

6. Zoning Application 98-24 and Official Plan Amendment Application by Jomar Development Corporation, Owner, for property located at 723 Rymal Road West.

- A. That approval be given to Official Plan Amendment No.158 to establish a Special Policy Area to permit a "Community and Residential Care Access Centre", containing residential care and short-term residential care facilities for the accommodation of a maximum of 25 and 26 residents of at least 65 years of age, respectively, and medical and associated commercial uses in a 2 storey building and to permit the conversion of the existing dwelling into a restaurant, within the "Residential" designation, on lands known municipally as 723 Rymal Road West, shown as Blocks "1" and "2" on the attached map marked as Appendix "D", and that the City/Regional Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- B. That approval be given to amended Zoning Application ZAC-98-24, 723 Rymal Road West (Jomar Development Corporation), owner, for changes in zoning from "AA" (Agricultural) District and "C" (Urban Protected Residential, etc) District to "DE-3" – 'H' (Multiple Dwellings - Holding) District, modified, to permit a "Community and Residential Care Access Centre" containing residential care and short-term residential care facilities for the accommodation of a maximum of 25 and 26 residents of at least 65 years of age, respectively, and medical and associated commercial uses in a 2 storey building and to permit the conversion of the existing dwelling into a restaurant, for lands located south of Rymal Road West, east of the City of Hamilton-Township of Glanbrook municipal boundary, known municipally as 723 Rymal Road West, shown as Blocks "1" and "2" on the attached map marked as Appendix "D", on the following basis:
 - (a) That Block "1" be rezoned from "AA" (Agricultural) District to "DE-3" – 'H' (Multiple Dwellings - Holding) District; and,
 - (b) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "DE-3" – 'H' (Multiple Dwellings - Holding) District; and,
 - (c) That the 'H' symbol applicable to the land referred to in section (b)(i) and (b)(ii) shall be removed conditional upon:

- (1) The owner preparing and submitting a storm water management study to the satisfaction of the applicable Conservation Authorities and the Manager, Development Engineering Section, Regional Environment Department; and,
- (2) Servicing is available to the subject lands to the satisfaction of the Manager, Development Engineering Section, Regional Environment Department; and,
- (3) The applicant entering into all required agreements for the provision of services, with the City of Hamilton and the Region of Hamilton-Wentworth, to the satisfaction of the Manager, Development Engineering Section, Regional Environment Department.

The 'H' symbol shall be removed by amendment to this by-law and the development of the subject lands may proceed in accordance with the "DE-3" (Multiple Dwellings) District provisions, subject to the special provisions of Section (b)(iv); and,

- (d) That the "DE-3" (Multiple Dwellings) District regulations, as contained in Section 10C of Zoning By-law No. 6593, applicable to Blocks "1" and "2", be modified to include the following variances as special provisions:
 - (i) That notwithstanding Section 10C(1) of Zoning By-law No. 6593, only the following uses shall be permitted:
 - (1) a "Community and Residential Care Access Centre"; and,
 - (2) a restaurant provided that:
 - a) it is located within the existing dwelling at the time of passage of the by-law; and,
 - b) the external appearance and character of the dwelling shall be preserved and maintained; and,
 - c) a drive-thru or take-out shall not be permitted; and,
 - d) it is accessory to a "Community and Residential Care Access Centre".
 - (ii) For the purpose of this by-law, a "Community and Residential Care Access Centre" shall mean a building in which short-term residential care and residential care facilities are provided in conjunction with medical offices and related services, subject to the following provisions:

- (1) maximum of 26 residents of at least 65 years of age located within the first and second storeys; and,
 - (2) a Residential Care Facility for the accommodation of a maximum of 25 residents of at least 65 years of age located within the second storey; and,
 - (3) an accessory dining room in the second storey which shall only be used in conjunction with the Residential Care and Short-Term Care Facilities; and,
 - (4) offices for medical or dental practitioners, osteopaths or drugless practitioners, physiotherapists, optometrists, shall be located within the first storey, and shall include medical related services such as reception areas, examination rooms, x-ray, ultra sound, a medical laboratory, and a drugstore, provided that all such uses except for a drugstore shall have access only from the interior of the building.
- (iii) That notwithstanding Section 10C.(2) of Zoning By-law No. 6593, no building shall exceed two storeys in height; and,
 - (iv) That notwithstanding Section 10C.(3) of Zoning By-law No. 6593, for a "Community and Residential Care Access Centre", the following yards shall be provided and maintained:
 - (i) a minimum front yard depth of 4.7 m;
 - (ii) a minimum side yard depth of 3.8 m; and,
 - (iii) a minimum rear yard depth of 11.1 m.
 - (v) That notwithstanding Section 10C.(5) of Zoning By-law No. 6593, for a "Community and Residential Care Access Centre" a maximum gross floor area of 4,690 m² shall be permitted, the residential portion shall have a minimum floor area of 2,715 m² and the commercial portion shall have a maximum floor area of 1,975 m², including hallways and common amenity areas; and,
 - (vi) For the "Community and Residential Care Access Centre", an unlighted ground sign having an area of not more than 4.2 square metres and located not less than 2.0 m from any lot line shall be permitted; and,
 - (vii) For the restaurant, an unlighted ground sign having an area of not more than 1.2 square metres and located adjacent to the existing building shall be permitted; and,

- (viii) That Section 4.(3) of Zoning By-law No. 6593, shall not apply to the subject lands; and,
 - (ix) That notwithstanding Section 2.(2)A.(xiiaa) of Zoning By-law No. 6593, a Residential Care Facility shall be permitted within a building containing a "Community and Residential Care Access Centre" comprised of residential and commercial uses; and,
 - (x) That notwithstanding Section 2.(2)A.(xiiaaa), a Short-Term Residential Care Facility shall be permitted within a building containing a "Community and Residential Care Access Centre" jointly comprised of residential and commercial uses; and,
 - (xi) That Section 10C.(7) of Zoning By-law No. 6593 shall not apply to the subject lands.
- (e) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Section S - 1421, and that the subject lands on Zoning District map W-37E be notated as S - 1421; and,
 - (f) That the City/Regional Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37E for presentation to City Council; and,
 - (g) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of the proposed Official Plan Amendment No.158 by the Region of Hamilton-Wentworth, and,
 - (h) That upon finalization of the Zoning By-law, the subject lands be redesignated from "Single and Double" Residential to "Commercial and Residential" and the north-south cul-de-sac be removed on the approved Carpenter Neighbourhood Plan.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Copps. -1.

CARRIED.

7. Barton Village Business Improvement Area (B.I.A.) – Revised Board Management

- (a) That Schedule 'B' of By-law No. 87-308, as amended, appointing the Barton Village B.I.A.'s Board of Management, be repealed and the following names substituted:

SCHEDULE 'B'

D. Boukhers	Farah's Foodmart
J. Hendry	Hendry's Family Shoes
S. Manners	Siemens Westinghouse Inc.
J. Hilger	Ways to Wisdom
J. Howard	Econ-o-wash Laundry
P. Nusca	Nusca Custom Tailers Ltd.
M. Tollis	Riviera Banquet Centre
N. LaSala	Nick's Auto Service
R. Palmese	Palmese Photodesign Group Inc.
K. Cody	Orthopaedic Services

- (b) That the City/Regional Solicitor, Corporate Services, be directed to amend Schedule 'B' of By-law No. 87-308 pursuant to (1) above.

8. Barton Village Business Improvement Area (B.I.A.) Proposed Budget and Schedule of Payments for 1999

- (a) That the 1999 operating budget for the Barton Village B.I.A. (attached as Appendix 'E') be approved in the amount of thirty thousand dollars (\$30,000); and,
- (b) That the General Manager of Finance, be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 1999 budget as referenced in (1) above; and,
- (c) That the following schedule of payments for 1999 be approved:

January 01	\$7,500
March 01	\$7,500
June 01	\$7,500
September 01	\$7,500

Note: 1998 assessment appeals may be deducted from the 1999 levy payments.

9. Westdale Village Business Improvement Area (B.I.A.) – Proposed Budget and Schedule of Payments for 1999

- (a) That the 1999 operating budget for the Westdale Village B.I.A. (attached as Appendix 'F') be approved in the amount of \$35,000; and,

(b) That the General Manager of Finance, be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 1999 budget as referenced in (a) above; and,

(c) That the following schedule of payments for 1999 be approved:

January 01	\$11,000.
March 01	\$8,000.
June 01	\$8,000.
September 01	\$8,000.

NOTE: 1998 assessment appeals may be deducted from the 1999 levy payments.

10. Demolition – 569 Rymal Road East

That the Building Commissioner be authorized to issue a demolition permit for 569 Rymal Road East in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

11. Demolition – 713 Barton Street East

That the Building Commissioner be authorized to issue a demolition permit for 713 Barton Street East in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

12. Demolition – 50 Glassco Avenue South

That the Building Commissioner be authorized to issue a demolition permit for 50 Glassco Avenue south in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

13. Heritage Permit for Proposed Sprinkler System – 252 James Street South

That a Heritage Permit be approved for the designated property at 252 James Street South to install a sprinkler system comprising five (5) sprinkler heads, two of which are located in the ceiling of the entrance lobby as shown on the plan attached hereto and marked as Appendix "G".

14. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) C-1 A By-law to Amend Zoning By-law No.6593 Respecting Land Located at Municipal No.1800 King Street East.

January 26, 1999

- (b) C-2 A By-law to Amend By-No.86-212 as Amended by By-laws Nos. 92-057 and 98-046 Respecting Members of the Board of Management of the International Village Business Improvement Area.
- (c) C-3 A By-law to Amend Zoning By-law No.6593 as Amended by By-law 85-01 Respecting Land Located at Municipal No.615 Mohawk Road West.
- (d) C-4 A By-law to Amend By-law No.93-167 Respecting Building Permits and Fees.
- (e) C-5 A By-law to Amend Zoning By-law No.6593 Respecting Lands Located South of Barton Street East, West of Centennial Parkway North and North of Eastgate Court, Located at the Rear of Municipal Nos. 2420-2434 Barton Street East.
- (f) C-6 A By-law to Establish Site Plan Control Respecting Lands Located South of Barton Street East, West of Centennial Parkway North and North of Eastgate Court, Located at the Rear of Municipal Nos. 2420-2424 Barton Street East.

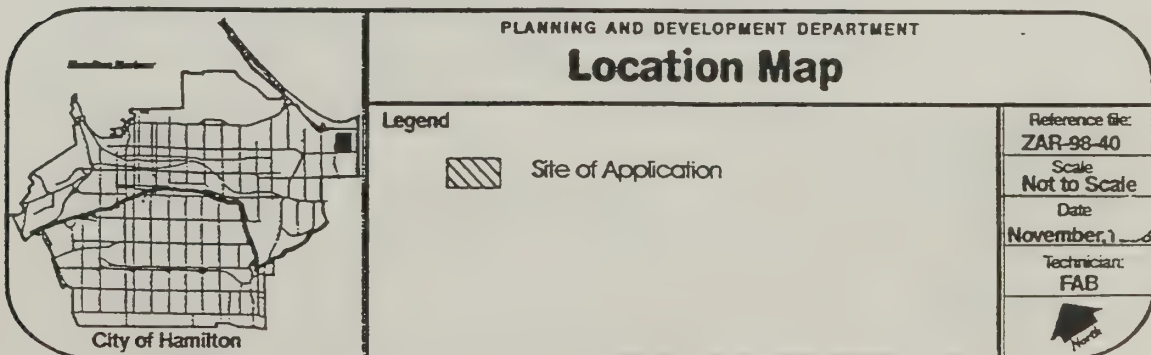
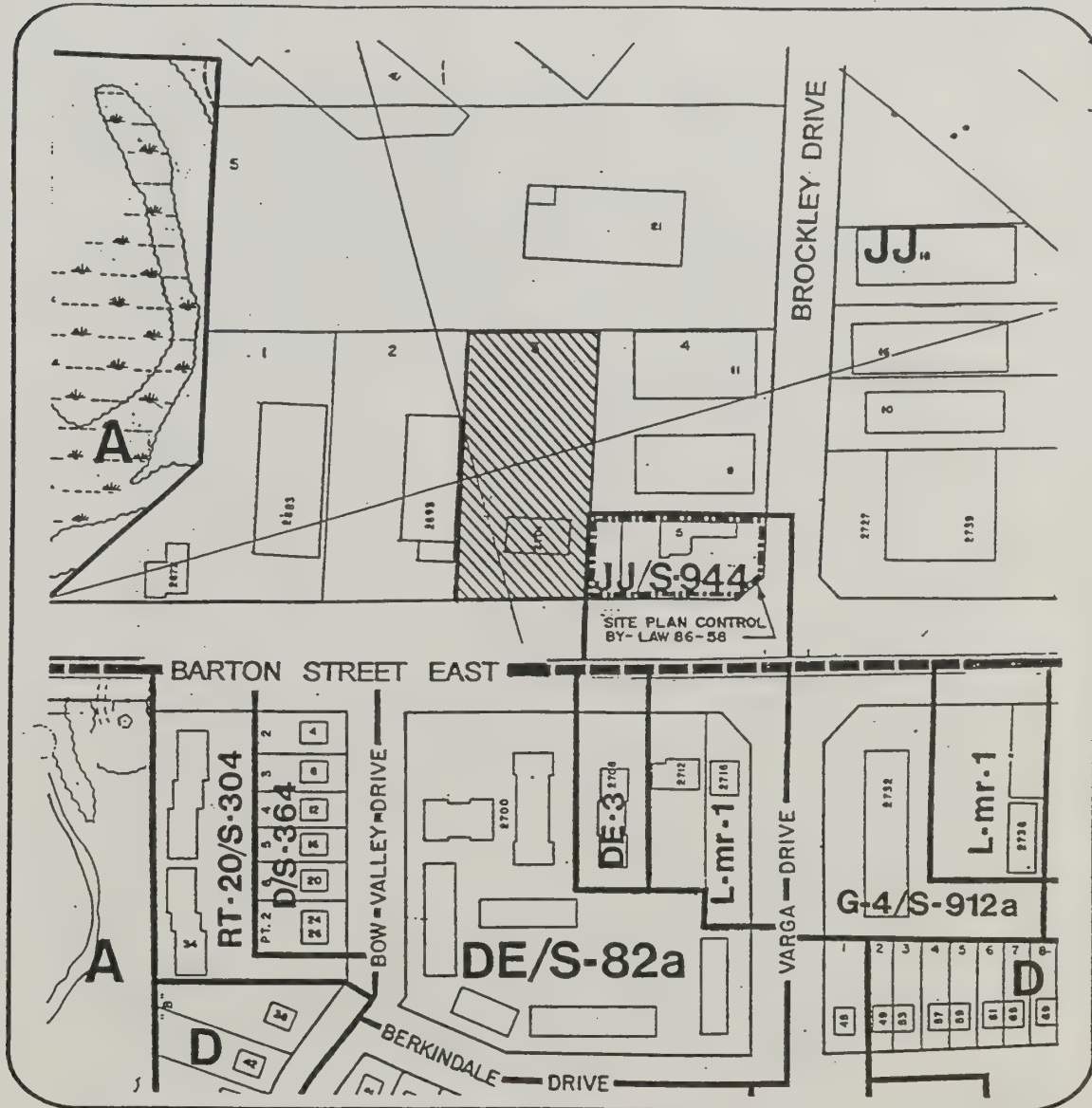
Respectfully submitted,

**ALDERMAN F. D'AMICO
PLANNING AND DEVELOPMENT
COMMITTEE**

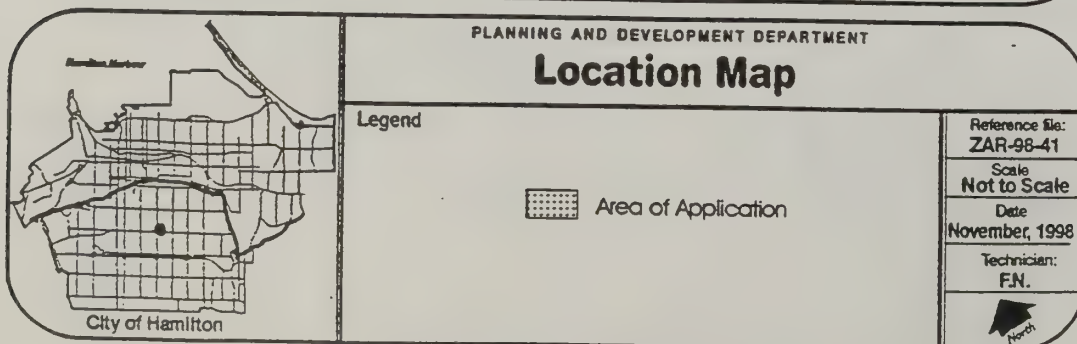
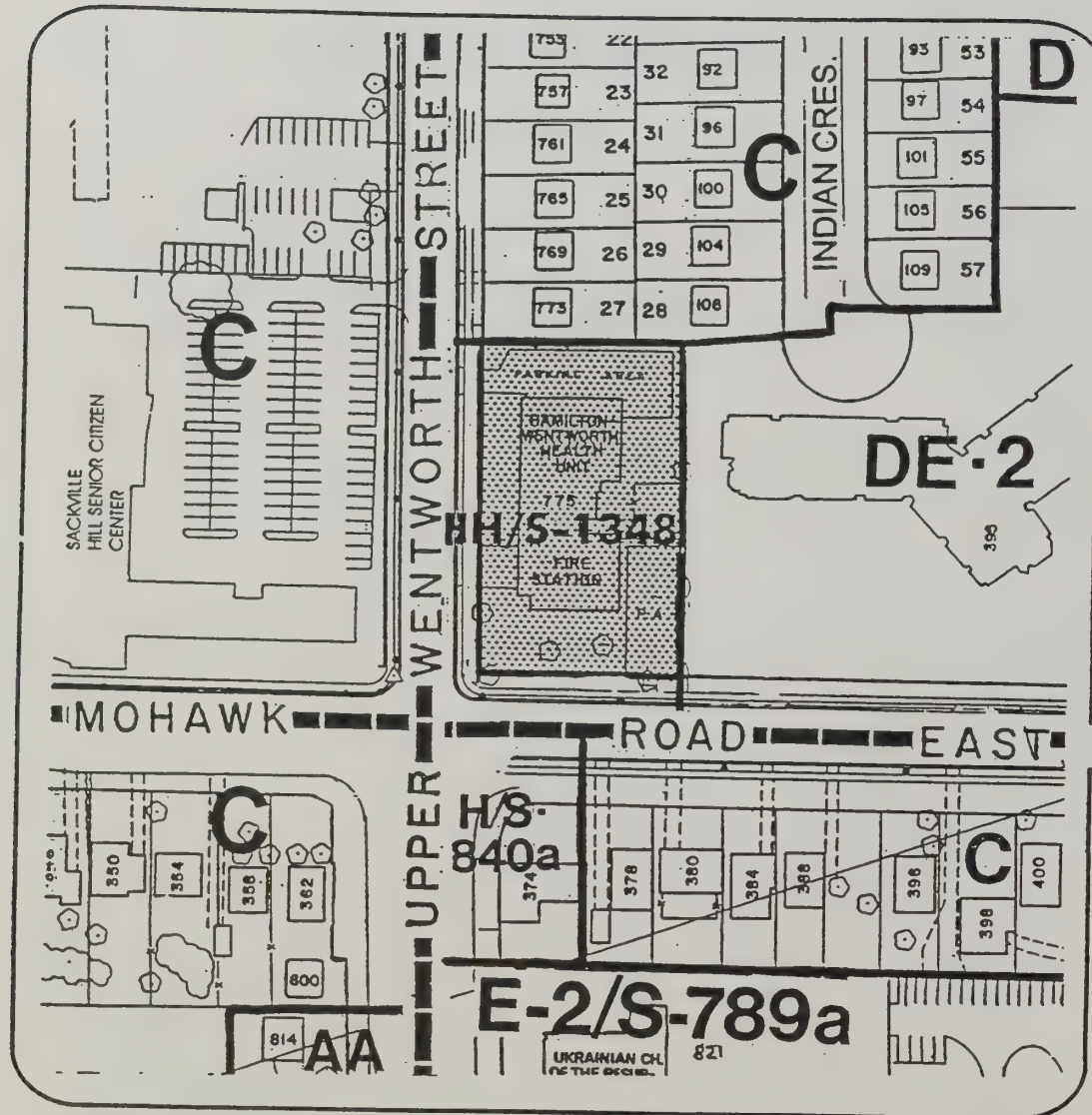
**Tina Agnello, Secretary
1999 January 20**

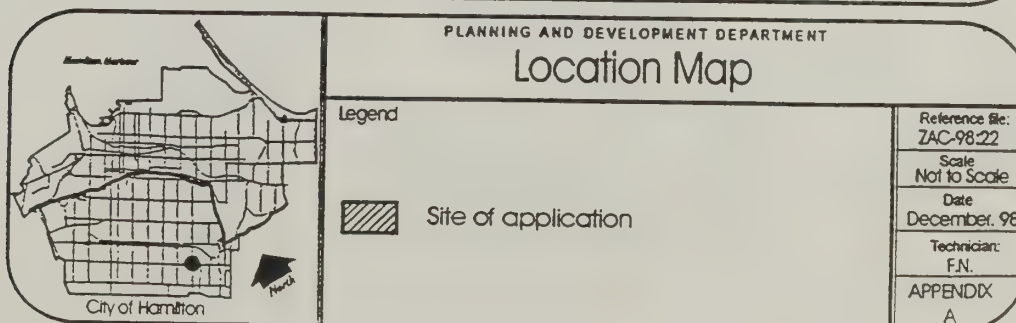
January 26, 1999

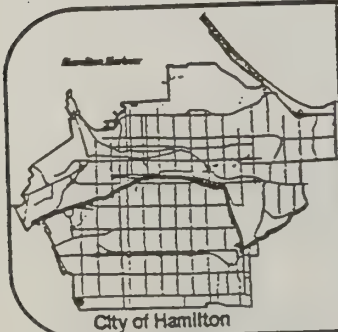
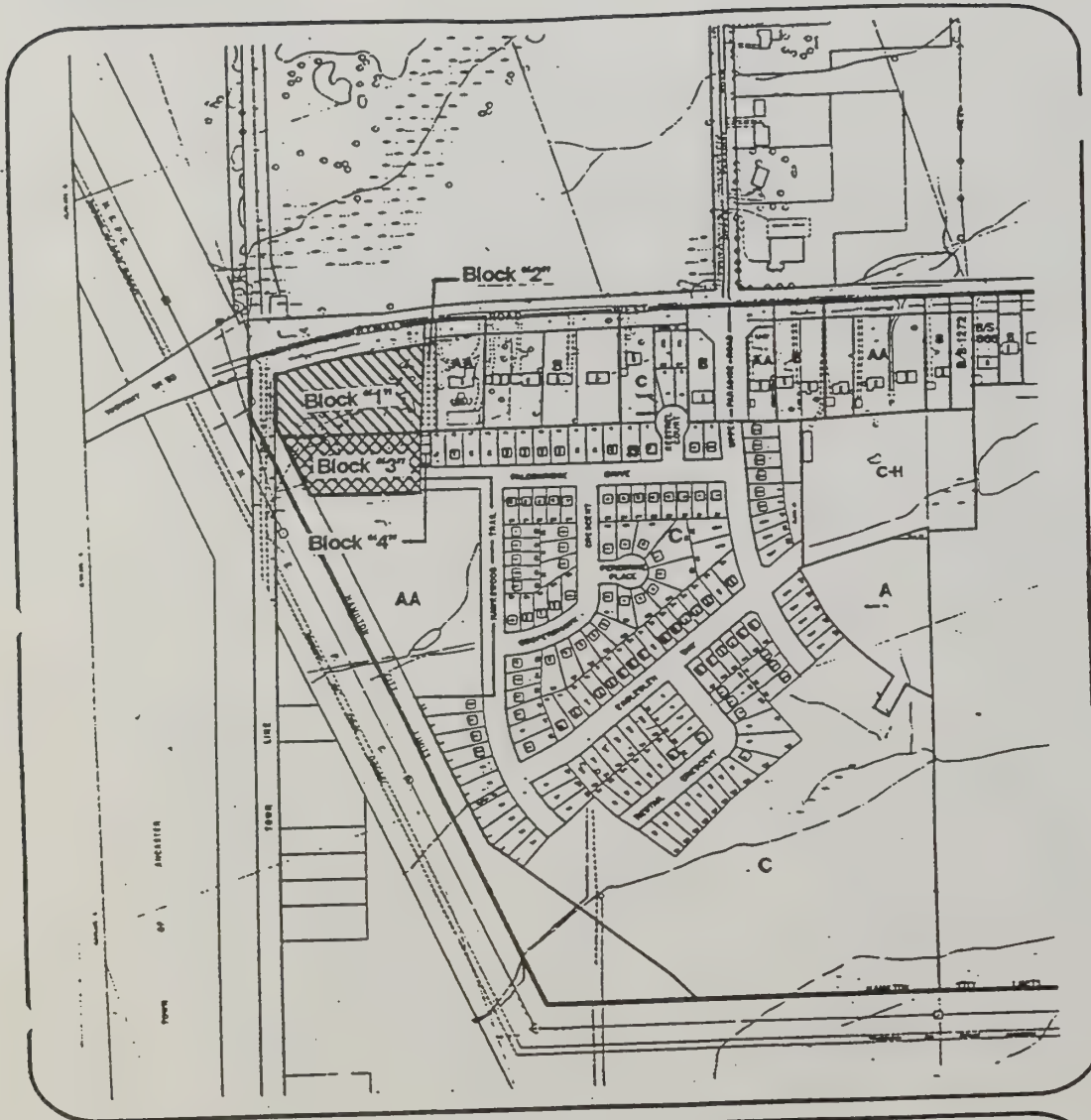
Appendix "A" referred to in Section I of the of FIRST Report of the Planning and Development Committee for 1999.



Appendix "B" referred to in Section 2 of the of the **FIRST** Report of the Planning and Development Committee for 1999.







PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend



- From "AA" (Agricultural) District to "DE-3" - "H" (Multiple Dwellings - Holding) District, modified;
- From "C" (Urban Protected Residential, etc.) District to "DE-3" - "H" (Multiple Dwellings - Holding) District, modified;
- From "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District, modified;
- From "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse - Maisonette) District, modified;

Reference file:
ZAC-98-24

Scale
Not to Scale

Date
November, 1998

Technician:
F.N.



**BARTON VILLAGE BUSINESS IMPROVEMENT AREA'S
APPROVED 1999 BUDGET**

<u>COMPONENTS</u>	<u>AMOUNT</u>
Wages	\$6,000
Insurance (General & Director's)	\$1,700
BIA Meetings (Food & Rental)	\$1,500
Audit Fee	\$ 350
Administration/office Expenses	\$1,100
Christmas Decoration Installation/Removal/Storage	\$1,500
Special Events	\$3,500
Business Development & Consultant Fees	\$8,850
Advertising	\$2,500
Contingency (20%)	\$3,000
<i>TOTAL</i>	<i>\$30,000</i>

WESTDALE VILLAGE B.I.A.
APPROVED OPERATING BUDGET 1999

FIXED EXPENSES

Rent	\$ 1,200.00
Insurance	\$ 1,600.00
Staff	\$ 5,200.00
Additional Staff	\$ 500.00
Board Expenses	\$ 1,200.00
Audit	\$ 350.00
Office Supplies	\$ 1,500.00
Annual General Meeting	\$ 400.00
Maintenance	\$ 1,500.00

CHRISTMAS

Joylites	\$ 3,000.00
Planters, trees, bows	\$ 2,000.00
Display lights	\$ 1,000.00
Holiday magic	\$ 1,500.00
Advertising	\$ 5,000.00

OTHER EVENTS

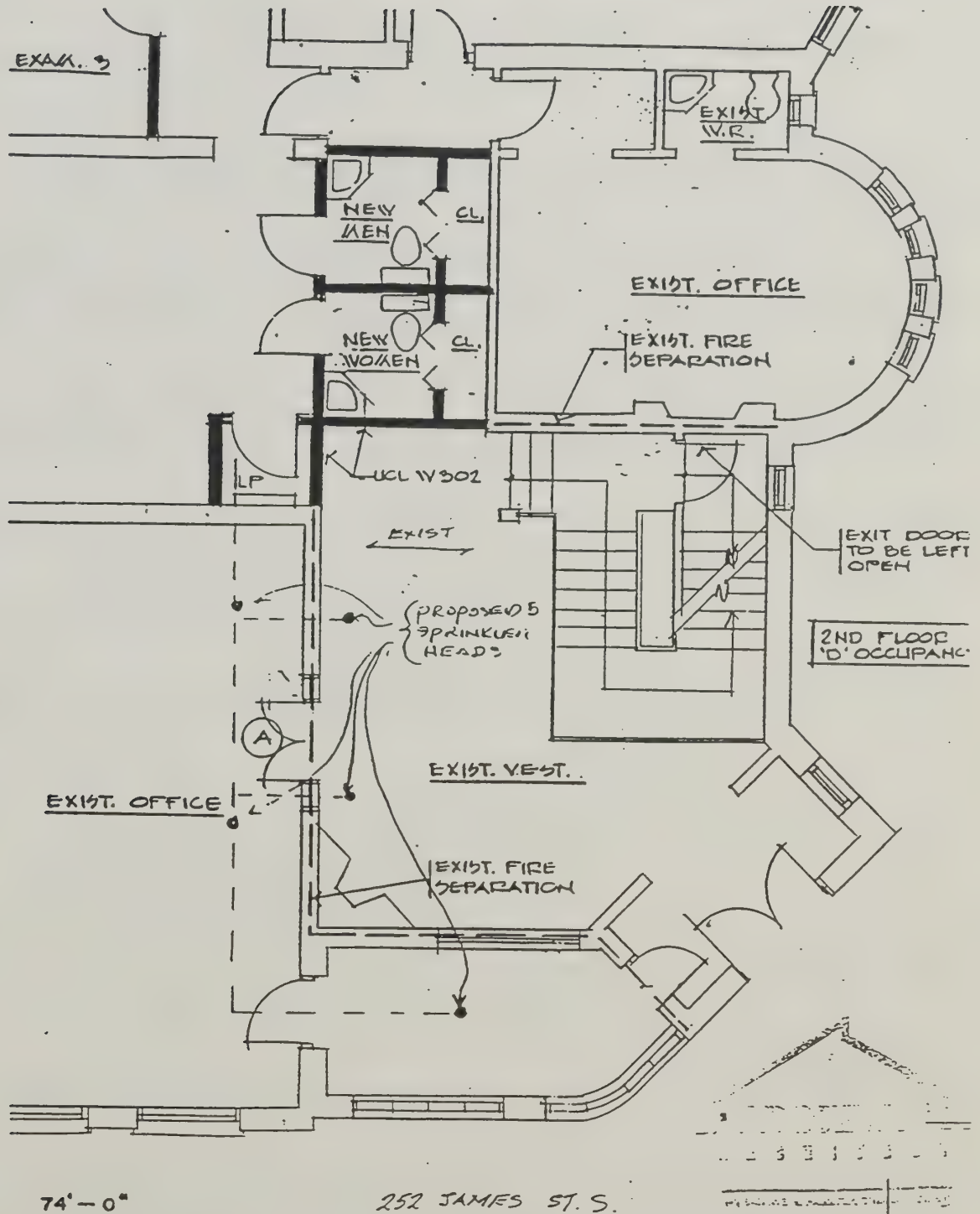
Race	\$ 5,000.00
Garage sale	\$ 1,146.38
Pumpkin Patch	\$ 2,672.54

TOTAL BUDGET FOR 1998 \$34,768.92

APPROVED OPERATING BUDGET FOR 1999 \$35,000.00

January 26, 1999

Appendix "G" referred
to in Section 13 of the
FIRST Report of the
Planning and Development
Committee for 1999.



NOV 25 1998

January 26, 1999

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SECOND** Report for 1999 and respectfully recommends:

1. **Leave to Appeal the Ontario Municipal Board Decision concerning a Motion to Adjourn the Ontario Municipal Board hearing on the Official Plan Designation and Zoning for Windemere Basin.**

That Corporate Counsel be authorized to appeal Decision/Order No: 0056 of the Ontario Municipal Board concerning Windemere Basin.

Respectfully submitted,

**ALDERMAN F. D'AMICO
PLANNING AND DEVELOPMENT
COMMITTEE**

**Tina Agnello, Secretary
January 26, 1999**

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SECOND** Report for 1999 and respectfully recommends:

1. International Brotherhood of Painters and Allied Trades Glaziers Local 1795

- (a) That the amendment to the International Brotherhood of Painters and Allied Trades, Glaziers Local 1795, Collective Agreement be received pursuant to the Fair Wage Policy of the Region of Hamilton-Wentworth; and,
- (b) That the Fair Wage Schedule be amended to reflect only the first increase in pension and benefits, since the full cost of wages and benefits exceeds the full cost of wages and benefits for similar positions in the Province of Ontario's Fair Wage Schedule and Labour Conditions (Hamilton Zone).

2. International Brotherhood of Painters and Allied Trades Local 205 (C-003-99/HUR99003)

- (a) That the amendment to the International Brotherhood of Painters and Allied Trades, Local 205, Collective Agreement be received pursuant to the Fair Wage Policy of the Region of Hamilton-Wentworth; and,
- (b) That the Fair Wage Schedule be amended to reflect only the first increase in pension and benefits, since the full cost of wages and benefits exceeds the full cost of wages and benefits for similar positions in the Province of Ontario's Fair Wage Schedule and Labour Conditions (Hamilton Zone).

3. Financing – Fire Station No. 8 – Removal and Disposal of Contaminated Soils

That as referred to in Section 11 of the Twenty-Fourth Report for 1998 of the Finance and Administration Committee and approved by City Council on December 8th, 1998, the cost of the soil testing, removal of the contaminated soils, etc. for Fire Station No. 8, in the amount not to exceed \$15,000, be financed from the Reserve for Contingency, Account Centre No. CH00115.

4. Financing – Leash-Free Zones Project

- (a) That as referred to in Section 13 of the Twelfth Report for 1998 of the Parks and Recreation Committee and approved by City Council on December 8th, 1998, the cost of site development work for the approved leash-free pilot project adjacent to the SPCA Centre, in the amount of \$15,000, be approved to be included as a part of the 1999 Current Budget Expenditure of Public Works & Traffic which will be offset by setting up a corresponding Current Budget Revenue of \$15,000, in relation to the fund raising initiatives and Annual Dog Tag Licences for this purpose; and,
- (b) That any cost incurred during 1998 in relation to the above project be authorized to be set up as a 1999 Expenditure.

5. H.E.C.F.I. Board of Directors – Closing of Capital Accounts

That the following H.E.C.F.I. Capital Accounts be closed with \$30,862.21 of excess financing returned to the H.E.C.F.I. Reserve Account for Capital Projects:

<u>Capital Account Number</u>	<u>Project Description</u>	<u>Authorized Gross Cost</u>	<u>Cost Expended</u>	<u>Balance Remaining</u>
CF929341016	HECFI Replace/ Renovate Equipment And Facilities	\$125,000.	\$125,000.	0.00
CF929441028	HECFI Replace/ Renovate Equipment And Facilities	130,000.	130,000.	0.00
CF929541016	HECFI Replace/ Renovate Equipment And Facilities	95,000.	94,945.54	54.46
CF929641029	Copps Coliseum – Replacement of Flooring	60,000.	58,966.83	1,033.17
CF929641031	Copps Coliseum – Mezzanine Curtaining System	200,000.	196,671.12	3,328.88
CF929651027	HCC – Replace/ Renovate Equipment And Facilities	120,000.	119,924.41	75.59

CF929741051	Copps Coliseum – Arena Dashboard System	150,000.	123,629.89	26,370.11
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TOTAL:			\$30,862.21
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6. Outstanding Tax Issue – Beach Strip Woodward Community Council and the East Hamilton Optimist Club

That a grant be approved to the East Hamilton Optimist Club to be given in lieu of outstanding 1998 taxes for Lakeland Community Centre to be financed from the Reserve for Contingency, Account Centre No. CH0015 and that the General Manager, Finance report back as to the amount of this grant when it has been determined. **REPLACED.**

7. Development Charges Act – Complaint – 235 Bowman Street

That after hearing the evidence and submission of the complainant, Rabbi Morton Green, for Yeshiva of Hamilton, the Council of the City of Hamilton hereby refund the development charges imposed on the property located at 235 Bowman Street pursuant to City of Hamilton Development Charges By-law 95-176 in the amount of \$5,458.50.

8. Financing – Restore the Core – Downtown Hamilton Improvement Plan, 1999 –2008 Provision Capital Budget Submission

- (a) That “Restore the Core” Phase III – 1999 Capital Project, in the amount of \$2,150,000. Including Hess and George Street Improvements be approved and form part of the City of Hamilton 1999 Capital Budget; and,
- (b) That the net cost of the Downtown Hamilton Improvement Plan (“Restore the Core”) Phase III, in the amount of \$2,150,000 be financed during the 1999 Capital Budget deliberations.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Eisenberger, Collins, Charters, Jackson, D’Amico, O’Sullivan. –10.

NAYS: Aldermen Kiss, Morelli, Haining, Copps, Wilson, Anderson, Kelly. - 7.

CARRIED.

9. Coronation Park Housing Company Ltd.

- (a) That the 44 minority shares of the Coronation Park Housing Company Ltd., owned by various members of the Hamilton Baptist Area Fellowship, and transferred to the Corporation of the City of Hamilton by Resolution of the Directors of the Coronation Park Housing Company Ltd., dated December 17, 1998, be accepted; and,
- (b) That the City of Hamilton, as sole shareholder, confirm both the retirement of the existing members of the Board of Directors of the Coronation Park Housing Company Ltd., and election of the current ten members of the Board of Directors of Municipal Non-Profit (Hamilton) Housing Corporation and the Hamilton Housing Company Limited as the directors of the Coronation Park Housing Company Ltd., for a term ending November 30, 2000.

10. Correspondence – City of Windsor

- (a) That the Minister of Transport be urged not to include power of expropriation for the purpose of port business and development in Letters Patent for Port Authorities; and,
- (b) That the Federation of Canadian Municipalities be petitioned to support and lobby the Federal Government on this matter; and,
- (c) That the City of Windsor be advised of the City of Hamilton position.

11. Correspondence – Second Appointee by the School Board to the Hamilton Public Library Board

That Joyce Brown be appointed as a Hamilton-Wentworth District School Board representative on the City of Hamilton Library Board for a term to expire November 30th, 2000.

12. Expression of Interest with respect to the sale of City Property at 76 John Street North (Parking Lot No. 1) from Cluny Properties Corporation

- (a) That the City of Hamilton express its interest in an Offer to Purchase Agreement with Cluny Properties Corporation (hereinafter referred to as "Cluny"), by letter, for the property known as 76 John Street North, having a frontage of 206.7 feet, more or less, on the east side of John Street North, by a depth of 315.5 feet, more or less, along Rebecca Street and comprising an area of 1.5 acres or 65,209 square feet, more or less, upon the following terms:

- (i) Price of \$1,263,366, with the final price to be confirmed by a survey and the price adjusted based on \$18.50 per square foot, plus GST if applicable; and,
 - (ii) Deposit in the amount of \$63,168 be submitted by March 1, 1999, and be held by the General Manager, Finance pending Council approval; and,
 - (iii) Closing date of December 31, 1999 or thirty (30) days following receipt by the City of Hamilton of written notice from Cluny; and,
 - (iv) Cluny shall be permitted at their own cost to carryout soil tests, prior to closing, subject to written notice and to the repair any damage to the property; and,
 - (v) To be conditional, until closing, upon the Government of Canada's acceptance of Cluny's submission in response to Request for Qualifications (Solicitation No. PWL-ENPWI-8-K064) and the subsequent Request for Proposals; and,
- (b) That staff be directed, in accordance with the City's Real Property Sales Procedural By-law No. 95-049, to commence immediate internal circulation of the property and cause a report to be brought back to Council with respect to having the property declared surplus to the requirements of the City; and,
 - (c) That subsequent to City Council declaring the property surplus, the City's Real Estate Division be directed to carryout the required public notice of the intended sale; and,
 - (d) That Cluny be advised of the City's requirements under the City's Real Property Sales Procedural By-law No. 95-049 which may result in receipt by the City of another offer. If the Offer exceeds the purchase price of this proposed transaction, then Cluny Properties Corporation will have an opportunity to match or better the new Offer.

13. Bills

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-2 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder,
Secretary
January 19, 1999**

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton.

Members of Council

The Committee of the Whole presents its **FIRST** Report for 1999 and respectfully recommends:

1. **Opposition to the placement by the Government of Canada of the Canadian Corrections Integration Program at 126 Main Street East in downtown Hamilton.**

That the Federal Government be advised:

- (a) That the City of Hamilton vehemently and angrily reiterates its very, very strong opposition to the placement by the Government of Canada of the Canadian Corrections Integration Program at 126 Main Street East in downtown Hamilton;
- (b) That this project at this location is unanimously opposed by the area business community, area residents and by both City and Regional governments;
- (c) That this location is totally at odds with all of the City's attempts to rejuvenate its downtown and would be a blow to the City of Hamilton in human, financial and planning terms;
- (d) That while the city recognizes its social responsibilities there presently exists an overuse in this area for social agencies.
- (e) That we demand the Federal government to work with the City of Hamilton and its residents to find a suitable alternative in and around the Region.
- (f) That the city of Hamilton expresses its outrage as well, at the bringing forward of the government's announcement on January 26, 1999 after promising a month-end extension.
- (g) That the process used to determine the location was flawed.
- (h) That a map of the city's current locations of social agencies be forwarded to the Federal Government
- (i) That the City's M.P.'s be lobbied to support and encourage the Federal Government to take action on the City's position.

2. **City of Hamilton opposes the closure of the Hamilton Psychiatric Hospital at its present location.**

That the Provincial Government be advised:

- (a) The City of Hamilton opposes the closure of the Hamilton Psychiatric Hospital at its present location.
- (b) The City does not object to changes in governance but is very anxious that the many benefits available to residents, staff, volunteers and visitors be retained by continuing the use of the west mountain campus.
- (c) Great leadership has come from this hospital as well as outstanding work on behalf of those requiring its services and its integration with the community over the years has been exemplary.
- (d) To move these services to downtown Hamilton would be counter-productive both from the point of view of the service given and from the City's own on-going attempts to rejuvenate downtown Hamilton.
- (e) That although our City is a caring community and fully supports the provision for people in need, we are concerned at the increasing numbers of persons in the lower and older sections of the community who are in need of psychiatric services and care and are being very frequently observed wandering without service throughout our community's neighbourhoods.
- (f) Further, the City of Hamilton would welcome the agreement of St. Joseph's Hospital to a community consultation on the future of all aspects surrounding this issue and will be more than pleased to assist in any way.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE**

Kevin C. Christenson,
Acting Municipal Clerk
January 26, 1999

January 26, 1999

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Mayor presents his **FIRST** Report for 1999 and respectfully recommends:

1. Appointment of Citizen Members to the Mayor's Committee Against Racism and Discrimination

That the following citizen members be appointed to serve on the Mayor's Committee Against Racism and Discrimination for a term to expire 2001 November 30:

Geoffrey Small
Marc Haas

Respectfully Submitted,

**Robert M. Morrow
Mayor**

**Stella Glover, Secretary
December 9, 1998**

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its **FIRST** Report for 1999 and respectfully recommends:

1. Cab Driver Licence Application – Azhari Sulaiman

That the Cab Driver Licence application of Azhari Sulaiman be granted for a one year probationary period.

2. Cab Driver Licence Application – Subodh Paul

That the Cab Driver Licence application of Subodh Paul be granted for a one year probationary period.

3. Cab Driver Licence Application – Norman Mehlenbacher

- (a) That the Cab Driver Licence application of Norman Mehlenbacher be granted for a six months probationary period: and,
- (b) That at the end of the six month probationary period, Mr. Mehlenbacher provide the Licensing Division with a written medical opinion confirming his ability to drive a taxi cab.

4. Cab Driver Licence Application – Samir Khoshaba

That the Cab Driver Licence application of Samir Khoshaba be granted for a one year probationary period.

5. Cab Driver Licence Application – Zahid Syed Hussain

That the Cab Driver Licence application of Zahid Syed Hussain be granted for a one year probationary period.

January 26, 1999

6. Cab Driver Licence Application – Shaukat M. Bhatti

That the Cab Driver Licence application of Shaukat M. Bhatti be granted for a one year probationary period.

Confidential background information provided to members of City Council under separate cover.

Respectfully Submitted,

**ALDERMAN F. EISENBERGER, CHAIRPERSON
CITY OF HAMILTON LICENSING COMMITTEE**

**Stella Glover, Secretary
January 11, 1999**

OFFICE OF THE CITY CLERK

MEMORANDUM

TO: Douglas A. Lychak, City Manager
General Managers
Department Heads
Legislative Assistants

FROM: J. J. Schatz
Municipal Clerk

PHONE: 546-2727

SUBJECT: CITY COUNCIL MINUTES

DATE: February 3, 1999

Attached for your information and appropriate action is a copy of the minutes of the special meeting of City Council held February 2, 1999.

JJS/dg
att.

Minutes of the Special Meeting of City Council
February 2, 1999
8:55 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Acting Mayor F. D'Amico
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, D. Wilson, G. Copps, C. Collins, F. Eisenberger, T. Jackson,
B. Charters, T. Anderson, B. Kelly, D. O'Sullivan.

Absent: Mayor R. M. Morrow – City Business

Acting Mayor F. D'Amico called the meeting to order.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman O'Sullivan that Council move into Committee of the Whole to consider a resolution and by-laws respecting the Interim Tax Levy. Council then went into Committee of the Whole, with Acting Mayor D'Amico in the Chair.

Recorded vote.

YEAS: Acting Mayor D'Amico, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli,
Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson,
Kelly, O'Sullivan. –16.

NAYS: -0.

CARRIED.

RESOLUTION AND BY-LAWS
Interim Tax Levy
Interim Tax Levy By-law
Confirming By-law

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the interim taxation rates for the City of Hamilton be set as follows, representing one half of the 1998 taxation rates rounded downward to 4 decimal places:

(a)	<u>Class</u>	<u>Class Code</u>	<u>Rate</u>
	Residential	RT	.0098
	Multi-Residential	MT	.0254
	Residual Commercial	CT/DT	.0384
	Residual Commercial Vacant	CU/DU	.0269
	Shopping Centre	ST	.0357
	Shopping Centre Vacant	SU	.0250
	Parking and Vacant Commercial Land	CX/GT	.0361
	Residual Industrial	IT	.0621
	Residual Commercial Vacant Land and Unit	IU/IX	.0403
	Large Industrial	LT	.0648
	Large Industrial Vacant	LU	.0421
	Pipeline	PT	.0189
	Farmland	FT	.0024
	Managed Forest	TT	.0024
	Rail Right of Way	WT CN	\$1,127.75/Acre
	Rail Right of Way	WT CP	\$1,361.27/Acre
	Utility Right of Way	UT	\$4,558.57/Acre

- (b) That an adjustment be made to the appropriate accounts, in the amount of 50% of the 1999 phase-in adjustment for properties in the residential, farmland and managed forest classes in conjunction with the interim 1999 billing for those properties.
- (c) That an adjustment be made to the appropriate accounts, in the amount of 50% of the 1998 graduated tax rate adjustment for residual commercial and residual industrial classes of property, in conjunction with the interim 1999 billing for those properties.
- (d) That a non-metered water and sewer surcharge interim levy be established on behalf of the Regional Municipality of Hamilton-Wentworth, based on approximately 50% of the 1998 charge, to be billed in two equal instalments, respectively payable on the dates that the related realty bills are due.
- (e) That in accordance with The Fairness for Property Taxpayer's Act, Section B of the capping provisions be applied to the commercial, industrial and multi-residential classes affecting the 1998 taxation on those properties, and that adjustments with respect to that provision be calculated and applied property specific prior to the billing of those accounts for the final instalment of 1998 taxation and that an adjustment for one half of the 1999 application of the capping program be applied at the time of the 1999 interim taxation billing for the affected accounts.
- (f) That adjustments be made to the appropriate 1998 taxation accounts to negate the effect of the small business rebate program which was cancelled as a result of the provisions in the Fairness for Property Taxpayers Act.
- (g) That adjustments be made to the appropriate accounts to negate the effect of the multi-residential phase-in scheme applied to the 1998 taxation levy, which was made redundant by the application of the capping program as outlined in the Fairness for Property Taxpayers Act.
- (h) That the schedule of interim 1999 taxation billing be as follows:
 - (i) Any property comprised of assessments in whole or in part only in the residential, farmland or managed forest property classes, be billed for the 1999 interim levy in two instalments due February 26th and March 31st, respectively.

(i) That the Director of Legal Services be authorized and directed to prepare the appropriate City of Hamilton By-law(s) and that the By-law(s) be passed and enacted.

(j) That the following Bills be adopted, signed, sealed and enrolled as By-laws:

E-001 A By-law to Enact An Interim Tax Levy.

E-002 A By-law to Confirm the Proceedings of The Council of The Corporation of the City of Hamilton. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman O'Sullivan that the Report of the Committee of the Whole on the resolution and by-laws respecting Interim Tax Levy, be adopted.

Recorded vote.

YEAS: Acting Mayor D'Amico, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, O'Sullivan. -16.

NAYS: -0.

CARRIED.

City Council then adjourned at 9:00 o'clock p.m.

Taken as read and approved.

ACTING MAYOR D'AMICO,
CHAIRMAN

J. J. Schatz,
Municipal Clerk
February 2, 1999
JSS/dg

CAY ON HBC AOS
M21
1999

February 9, 1999

Minutes of Hamilton City Council
Tuesday, February 9, 1999
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

FEB 16 1999

GOVERNMENT DOCUMENTS

The Council met:

There were present: Mayor R. M. Morrow, Chairman; Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli, D. Haining, D. Wilson, G. Copps, C. Collins, F. Eisenberger, T. Jackson, B. Charters, T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Reverend John Hillmer, Trinity Baptist Church, led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented a pen to Igor Kodarin, Metal Fabko Inc., in recognition of his company's recent expansion.

ADOPTION OF MINUTES

The minutes of the meetings held January 26, 1999 and February 2, 1999 were adopted as circulated.

CORRESPONDENCE

1. Letter dated January 27, 1999 from Kellam Investments Corp., Mississauga, Ontario for a change in zoning from "J" (Light and Limited Heavy Industry, etc.) District Modified to "DE" (Low Density Multiple Dwellings) District Modified for 129 Rebecca Street.

Received.

2. Letter dated February 4, 1999 from Visplar Holdings Ltd., Hamilton, Ontario for a modification to the established "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District to permit a reduced side yard and increased lot coverage for lands located at 1016 Upper Paradise Road.

Received.

3. Letter dated February 4, 1999 from Stanley M. Makuch, Cassels Brock & Blackwell, Barristers & Solicitors representing the Hamilton Harbour Commissioners, respecting Windermere Basin, Appeal of Interim Control By-law No. 98-313.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Joint City/Region Budget Steering Committee, and the Committee of the Whole, be considered in Committee of the Whole with Alderman Caplan in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – SECOND REPORT
--

PARKS AND RECREATION COMMITTEE – SECOND REPORT

Section 2 Re: 1999 Special Events with Alcohol, Non-Alcohol, Animals and Parking Vehicles in a Park

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –15

NAYS: Alderman Jackson -1.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – THIRD REPORT

FINANCE AND ADMINISTRATION COMMITTEE – THIRD REPORT

Section 3 Re: Delegation of Authority to Staff for Routine Real Estate Matters

Recorded Vote.

YEAS: Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan –14.

NAYS: Aldermen Kiss, Copps -2.

CARRIED.

* * * * *

Section 4 Re: Federal Government's Proposed Move of Canadian Jobs with Bell Canada to United States. Declaration of Interest – Alderman Wilson

Alderman Wilson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Wilson is an employee of Bell Canada.

JOINT CITY/REGION BUDGET STEERING COMMITTEE – FIRST REPORT

Section 1 Re: Payroll Direct Deposit System

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –16

NAYS: Alderman Copps. –1

CARRIED.

* * * * *

Section 2 Re: Terms of Reference

It was moved by Alderman Charters and seconded by Alderman Jackson that Section 2 of the First Report for 1999 of the Joint City/Region Budget Steering Committee be amended by adding the following as sub-section (ix) within section (a) under the heading "General":

"(ix) That only City of Hamilton Aldermen and Mayor vote on exclusively City of Hamilton budget issues"; and

by deleting in its entirety sub-section (ii) under the heading "Capital Budget"; and

further by adding sub-section (c) as follows:

"(c) that the Joint City/Region Budget Steering Committee consider avenues of public participation in the budget process."

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16

NAYS: Alderman Copps. -1

CARRIED.

JOINT CITY/REGION BUDGET STEERING COMMITTEE – SECOND REPORT

COMMITTEE OF THE WHOLE – SECOND REPORT

Rule No. 9 Re: 94 York Blvd. Facility

It was moved by Alderman Horwath and seconded by Alderman Corsini that Rule 9 of the City's Procedural By-law be invoked for this meeting in order to consider an item respecting opposition to an increase of beds or services at the 94 York Blvd. Facility. **CARRIED.**

Section 4 Re: 94 York Blvd. Facility

It was moved by Alderman Horwath and seconded by Alderman Corsini that the following be added to the Second Report for 1999 of the Committee of the Whole as Item 4:

"4. That the City of Hamilton inform the Federal Government that it opposes any increase of beds or services provided at the current temporary site located at 94 York Blvd."

February 9, 1999

It was subsequently moved by Alderman Eisenberger and seconded by Alderman O'Sullivan that the motion respecting the informing of the Federal Government that the City opposes any increase of beds or services provided at the current temporary site at 94 York Blvd. be referred to the Planning and Development Committee. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Finance and Administration Committee, the Joint City/Region Budget Steering Committee and the Committee of the Whole, be adopted. **CARRIED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

City Council then adjourned at 8:45 o'clock p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz
Municipal Clerk
February 9, 1999
JJS/bc**

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SECOND** Report for 1999 and respectfully recommends:

1. **No. 67 Francis Street, Request to Remove a Reserved "Permit Parking" Space for a Disabled Resident**

That the existing "Permit Parking" regulation on the south side of Francis Street commencing at a point 115 feet west of Cheever Street and extending to a point 21 feet westerly therefrom be removed, and that the City Traffic By-law 89-72 be amended accordingly.

2. **No. 334 Emerald Street North, Request for a Reserved "Permit Parking" Space for a Disabled Resident**

(a) That a "Permit Parking" regulation be implemented on the east side of Emerald Street North commencing at a point 63 feet south of Birge Street and extending to a point 17 feet southerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Bruce Carson, 334 Emerald Street North.

3. **Redfern Avenue, Jewel Street and Gem Court – Parking Regulations**

(a) That a full-time "No Parking" regulation be implemented on the south side of Redfern Avenue from Sanatorium Road to Chedmac Drive; and,

(b) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the north side of Redfern Avenue from Sanatorium Road to Chedmac Drive; and,

(c) That a full-time "No Stopping" regulation be implemented on both sides of Redfern Avenue commencing at Sanatorium Road and extending to a point 100 feet westerly therefrom; and,

(d) That a full-time "No Parking" regulation be implemented on the east side of Jewel Street from Redfern Avenue to Gem Court;

- (e) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the west side of Jewel Street from Redfern Avenue to Hepburn Crescent; and,
- (f) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of Gem Court from Jewel Street to the easterly end and including the bulb; and,
- (g) That the City of Hamilton Traffic By-law 89-72 be amended accordingly.

4. **Supply and Delivery of Traffic Paint during 1999, Public Works and Traffic Department**

That a purchase order be issued to IBIS Products Limited, Scarborough, Ontario, for the supply and delivery of traffic paint as and when required during 1999 by the Public Works and Traffic Department, being the only bid received and being in accordance with the specifications issued by the Purchasing Division's tender, and that the estimated expenditure of \$225,000 be financed through the Pavement Markings Account No. CH5653 75999.

5. **No. 116 East 23rd Street, Request to Amend an Existing Wheelchair Loading Zone Regulation**

That the existing "No Stopping, Wheelchair Loading Zone, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation on the west side of East 23rd Street, commencing at a point 162 feet north of Queensdale Avenue East and extending to a point 19 feet northerly therefrom, be revised such that the regulation is in effect 24 hours a day, seven days a week, and that the City Traffic By-law 89-72 be amended accordingly.

6. **No. 54 Kinrade Avenue – Request for a Wheelchair Loading Zone**

That a "Wheelchair Loading Zone, 9:00 a.m. to 5:00 p.m., Seven Days a Week" regulation be implemented on the east side of Kinrade Avenue commencing at a point 517 feet south of Barton Street East and extending to a point 30 feet southerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

7. **1167827 Ontario Limited, No. 630 – 636 Main Street East – Commercial Boulevard Parking Agreement**

That the application of Mr. Darko Vranich, President of 1167827 Ontario Limited, respecting 630 - 636 Main Street East, to execute a commercial boulevard parking agreement at the said address be approved, provided that:

- (a) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on March 26, 1986 (current annual rate is \$64.61 per space for the first two spaces and \$32.31 per space for any additional spaces, per year) plus taxes, if any, in addition to the \$10 encroachment insurance charge approved by the City Council on February 14, 1984; and,
- (b) the owner pays a one-time \$50 registration fee, as approved by the City Council on January 14, 1986; and,
- (c) the owner pays a one-time \$227.32 processing fee (including G.S.T.), as approved by the City Council on January 12, 1988; and,
- (d) the owner complies with the requirements as set out in the policy approved by the City Council on June 24, 1975, respecting using a portion of road allowance for parking purposes; and,
- (e) the driveway approach, parking area and other structures, as approved by the Commissioner of Public Works and Traffic, be constructed and maintained at the owners expense; and,
- (f) the owner executes an agreement satisfactory to the Regional/City Solicitor, to indemnify and save the City harmless from actions, causes of action, interest, claims, demands, costs, damages and loss.

8. Local Improvement Charges for the Construction of Roads, Curbs, Sidewalks and Alleys

- (a) That the following changes be made in the maximum charges per metre of frontage for Local Improvement construction:

		Maximum Charge per Metre of Frontage	
<u>Item</u>		<u>Existing 1998</u>	<u>Proposed 1999</u>
(i)	Curb Only	\$ 73.00	\$ 74.00
(ii)	Sidewalks Only	\$103.00	\$105.00
(iii)	Sidewalks and Independent Curbs or Combined Sidewalks and Curbs	\$149.00	\$151.00
(iv)	Roadway Only	\$255.00	\$256.00
(v)	Alleys	\$107.00	\$ 90.00
(vi)	Roadway and Curbs only (Industrial Subdivisions)	\$336.00	\$338.00; and,

- (b) That the Commissioner of Public Works and Traffic be authorized and directed to amend the Local Improvement By-law.

9. Delawana Drive and Jerome Crescent – School Crossing Guard Request

- (a) That a School Crossing Guard be assigned to the intersection of Delawana Drive and Jerome Crescent during the morning, lunch and evening school crossing periods up until approval of the 1999 Departmental Budget; and,
- (b) That said assignment be subject to the approval of an expansion package of approximately \$6,000 plus administrative costs, which will be presented during the 1999 Current Budget Deliberations.

10. Sale of City Property – Part 2, Plan 62R-14775, Harbottle Court

- (a) That an Offer to Purchase, executed by Raymond Cedric Richardson and Christine Phyllis Richardson on January 18, 1999, scheduled to close on March 17, 1999, for Part 2 on Plan 62R-14775, said vacant lands having a frontage along the southerly limit of Harbottle Court of 18.3 m (60.04 feet) more or less, and a depth of 2.285 m (9.35 feet) more or less, comprising a total area of 52 square metres (559.74 square feet) more or less, in the amount of \$14,923.91, be accepted, and the funds derived from this sale credited to Account Centre CH00102 (Reserve for Property Purchases); and,
- (b) That the required deposit cheque in the amount of \$1,500 be held by the General Manager, Finance pending Council approval; and,
- (c) That the Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (i) satisfactory notice has been given to the public of the intended sale; and,
 - (ii) appraisal of fair market value of the real property intended to be sold was obtained on February 1, 1999.

11. Napier Street, between Pearl and Ray Streets – Parking Regulations

- (a) That the existing “No Parking” regulation on the south side of Napier Street, from Pearl Street South to a point 191 feet easterly therefrom, be replaced with a “Three-Hour Parking Time Limit, 24 hours a day, 7 days a week” regulation on the south side of Napier Street, between Pearl Street South and Ray Street South, and that the City Traffic By-law 89-72 be amended accordingly; and,

- (b) That the above regulation be implemented on a six-month trial basis.

12. **1999 Proposed Road and Sidewalk Capital Improvement Program**

That Appendix "B" of Section 29 of the First Report of the Transport and Environment Committee, approved by Council on January 26, 1999, respecting 1999 Proposed Road and Sidewalk Capital Improvement Program, be deleted and replaced with Pages 1 to 3 attached as Appendix "A" to this report.

13. **Bills**

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-7 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic
- (b) A-8 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

**ALDERMAN C. COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Carolyn Biggs
Acting Secretary
February 1st, 1999**

February 9, 1999

Appendix "A" as referred to in
Section 12 of the SECOND Report
of the Transport and Environment
Committee for 1999

CITY OF HAMILTON
1999 ROAD AND SIDEWALK IMPROVEMENT PROGRAMME

A. Roads and Abutting Sidewalks

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Adeline Avenue	Main	Britannia	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer work	\$494,000
Beechwood Avenue	Sherman	Lotridge	-road reconstruction-sidewalk reconstruction-both sides-in conjunction with Regional sewer and watermain work	\$411,000
Delevan Crescent	Seven Oaks	Seven Oaks	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work	\$226,000
Duncombe Avenue	Seven Oaks	Holt	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer and watermain work	\$336,000
*Dundurn Street	Aberdeen	South end	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer and watermain work	\$682,000
*East 44th Street	Fennell	Mohawk	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer and watermain work	\$867,000
Edith Avenue	Broker	Nova	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer and watermain work	\$478,000
Elcho Street	Wycliffe	Inverness	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer and watermain work	\$ 88,000
Ferndale Avenue	Dunkirk	Dundonald	-road reconstruction-sidewalk reconstruction-both sides	\$320,000

A. Roads and Abutting Sidewalks - continued

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Knyvet Avenue	Highcliffe	Inverness	-road reconstruction-sidewalk reconstruction -both sides-in conjunction with Regional sewer and watermain work	<u>\$253,000</u>
TOTAL A				\$4,155,000

B. Sidewalks Only

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Concession Street	Upper Sherman	Upper Gage	-sidewalk reconstruction-both sides -in conjunction with Regional sewer and watermain work	\$168,000
Upper Wellington Street	Concession	Brucevale	-sidewalk reconstruction	\$255,000
Armstrong Avenue	Glen Grove	Hayes	-sidewalk reconstruction	\$119,000
Fennell Avenue	West 5 th	Garth	-sidewalk reconstruction	\$161,000
Hayes Avenue	Bingham	Armstrong	-sidewalk reconstruction	\$ 49,000
London Street	King	Lawrence	-sidewalk reconstruction	<u>\$ 61,000</u>
TOTAL B				\$813,000

C. Miscellaneous

<u>DESCRIPTION</u>	<u>ESTIMATE</u>
Catch basin and drain connections in conjunction with Regional sewer projects	\$ 10,000
Pavement Management System - annual update	\$ 40,000
Streetlighting - various locations	\$ 300,000
*Hot-in-place asphalt recycling - various locations	\$1,374,000
Tree planting in conjunction with reconstruction projects	<u>\$ 68,000</u>
TOTAL C	\$1,792,000
GRAND TOTAL	\$6,760,000

D. Supplementary List - Streets may be done in the order listed if residual funds are available

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
West 1 st Street	Fennell	Richwill	-road reconstruction-sidewalk reconstruction -both sides-in conjunction with Regional sewer and watermain work	\$673,000
Stewartdale	Greenhill	Montrose	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work	\$467,000
Gledhill Crescent	Galt	Brigadoon	-sidewalk reconstruction-both sides	\$153,000
Hester Street	Upper James	Upper Wellington	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work	\$569,000
East 33 rd Street	Fennell	Bruceedale	-road reconstruction-sidewalk reconstruction-both sides	<u>\$176,000</u>
TOTAL D				\$2,038,000

* Projects proposed to be tendered early in 1999 totalling \$3,000,000

99 01 21

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **SECOND** Report for 1999 and respectfully recommends:

1. **EGGstravaganza Event, Pier 4 Park and Leander Boat Club, March 28, 1999**

That approval as required by Parks By-law No. 95-126, as amended, Section 35 – to bring horses in a park and Section 37 – to bring animals into a park, and to hold carnival rides be given to the Director of Culture and Recreation to host the EGGstravaganza Event, March 28, 1999, in Pier 4 Park and Leander Boat Club subject to the Terms and Conditions of the Special Events Guidelines.

2. **1999 Special Events with Alcohol, Non-Alcohol, Animals and Parking Vehicles in a Park**

(a) That approval as required by Parks By-law No. 95-126, Section 11, to sell alcoholic beverages; Section 29, to park vehicles in a park; Section 35, to bring horses in a park and Section 37 to bring animals into a park, be given to the following organizations:

- (i) Hamilton Folk Arts Heritage Council, It's Your Festival – Gage Park, July 1 to July 4, 1999, 12:00 o'clock noon to 11:00 o'clock p.m.; and,
- (ii) The Corporation of the City of Hamilton – Hamilton Children's Museum 21st Birthday Party, Gage Park, July 17, 1999; and,

(b) That approval as required by Parks By-law No. 95-126 as amended, Section 11, be given to the following organizations to allow the sale of alcohol in a park:

- (i) Portuguese Association of St. Michael Festival – Dundurn Park Pavilion, June 4, June 5 and June 6, 1999, 12:00 o'clock noon to 11:00 o'clock p.m.; and,
- (ii) Police Chiefs Conference – Commonwealth Square, August 22 and August 25, 1999; and,

- (c) That approval as required by Parks By-law No. 95-126, Section 29 – park vehicles in a park, Section 35 – to bring horses in a park and Section 37 – to bring animals into a park, be given to Hamilton Wentworth Creative Arts Inc. on the occasion of the Earthsong Festival in Kay Drage Park, July 1 to July 4, 1999 and Festival of Friends in Gage Park, August 6 to August 8, 1999 from 12:00 o'clock noon to 11:00 o'clock p.m.; and,
- (d) That the approvals given in sub-sections (a), (b) and (c) be subject to the Standard Terms and Conditions of the Special Events Guidelines.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -15

NAYS: Alderman Jackson -1.

CARRIED.

3. Bay Area Restoration Council (BARC) City Representation

That Mr. Erik Hess, Superintendent of Development, Parks Division, be the designated City Representative on the Bay Area Restoration Council, (BARC).

4. Request for Permission to make application to the Ontario Trillium Foundation for funding for the Hamilton Harbour Waterfront Trail

That the Commissioner of Public Works and Traffic be authorized to apply to the Ontario Trillium Foundation for a grant for an amount of up to \$75,000 per year for up to five years for the Hamilton Harbour Waterfront Trail.

5. Acquisition from the Royal Botanical Gardens and the Town of Dundas, of shoreline between Cootes Paradise and Hamilton Harbour for the following:

- **Waterfront Trail Project**
- **Fish and Wildlife Habitat Project**

To acquire lands along Cootes Paradise shoreline and the Desjardins Canal between Cootes Paradise and Hamilton Harbour - for the City's waterfront trail, in conjunction with the Trail also intended along the City's harbour shoreline property in front of CNR's Stuart Street Rail Yard, it is recommended:

February 9, 1999

- (a) That the City acquire for \$1 from The Corporation of the Town of Dundas, that portion of the Desjardins Canal between Cootes Paradise and Hamilton Harbour, said portion outlined generally as part one on the map attached hereto as Appendix "A"; and,
- (b) That the City acquire for \$1 from Royal Botanical Gardens ("RBG") a parcel of vacant land (about. .223 acres) in front of the Cootes Paradise entrance to Desjardins Canal, said land illustrated generally as Part 4 on the said map; and,
- (c) That the City acquire for \$1 from RBG two acres of Cootes Paradise shoreline, extending from Desjardins Canal southerly for a distance of 773. feet, (Parts 20, 21, 22, 27, 28 and 29 on Plan 62R-13378).

This two-acre shoreline parcel shall be subject to:

- (i) an existing Union Gas pipeline easement in Part 21 and in portions of Parts 27 and 29, Plan 62R-13378); and,
- (ii) an easement being retained (in Parts 20, 21 and 22, Plan 62R-13378) by the RBG for RBG's existing right of way access to service the Carp Fishway; and,
- (d) That where required as a condition of permission for the City's Trail upon the Canal to pass below CP Rail's bridge, the Region's York Boulevard bridge and MTO's Highway 403, indemnification agreements be authorized; and,
- (e) That the Mayor and Municipal Clerk be authorized to execute the said agreements in a form satisfactory to the City/Regional Solicitor.

Respectfully Submitted,

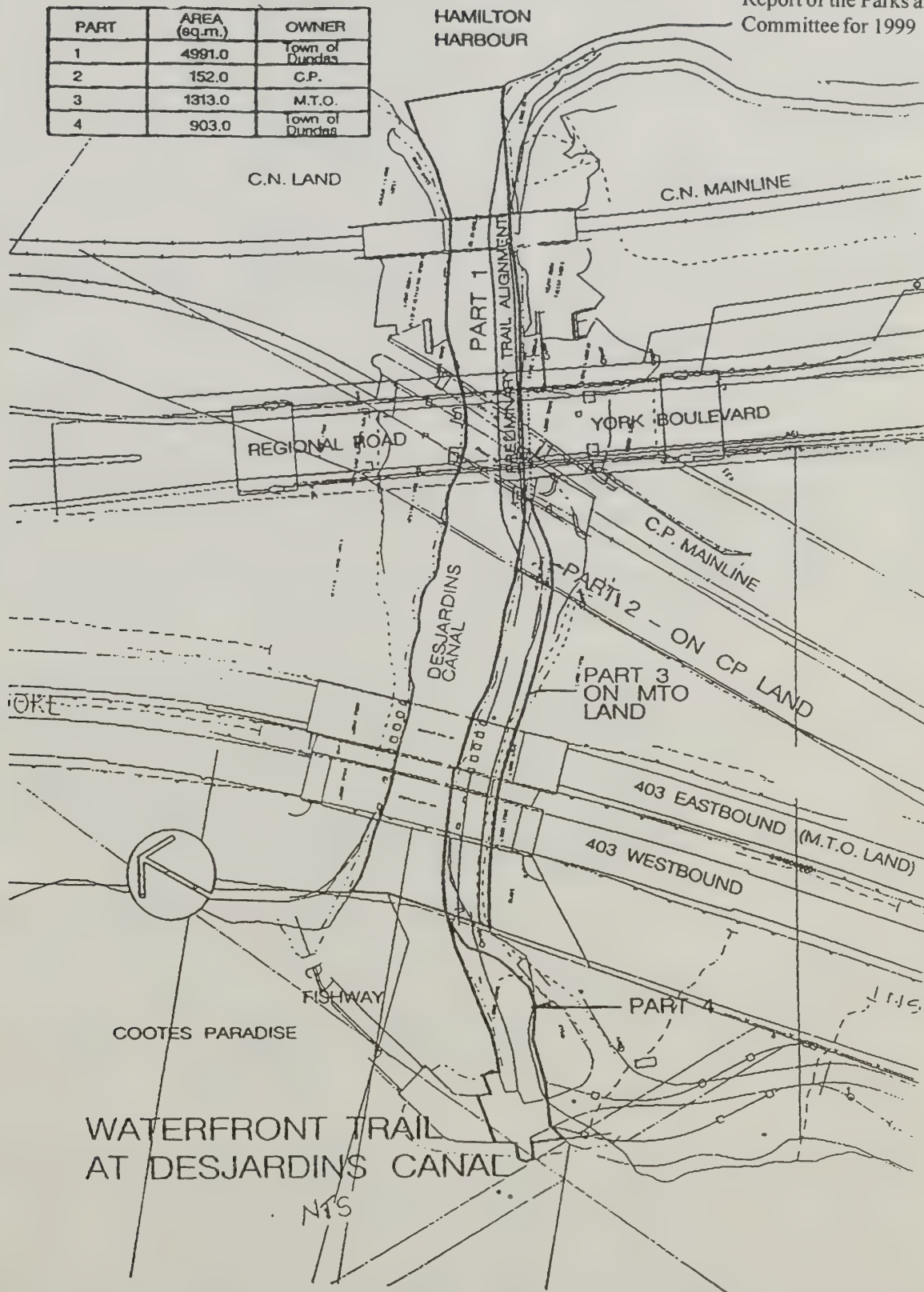
**ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

**T. Agnello
Secretary**

February 1st, 1999

Appendix "A" as referred to in
Section 5 (a) of the SECOND
Report of the Parks and Recreation
Committee for 1999

PART	AREA (sq.m.)	OWNER
1	4991.0	Town of Dundas
2	152.0	C.P.
3	1313.0	M.T.O.
4	903.0	Town of Dundas



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRD** Report for 1999 and respectfully recommends:

1. **Zoning Application 98-42 and Subdivision Application 98-06, by Harp Homes Building, Corp. prospective owners, for a change in zoning from "AA" District to "C" District for lands located at the rear of 1501 Upper Sherman Avenue.**
 - A. (a) That approval be given to Subdivision Application 98-06, (Regional File No. 25T-98014), Harp Homes Building Corporation. (M. Mazza), prospective owner to establish a draft plan of subdivision "Eagleview Estates, Phase 3", on lands located east of Upper Sherman Avenue, west of Eleanor Avenue and south of Dalia Avenue/Dulgaren Street, and located at the rear of 1501 Upper Sherman Avenue in the Eleanor Neighbourhood, as shown on the attached map marked as Appendix "A", subject to the following conditions:
 - (i) That this approval apply to the plan, prepared by A.J. Clarke and Associates Ltd., and certified by B.J. Clarke, O.L.S., dated November 20, 1998, showing 8 lots for single detached dwellings, 5 blocks to be developed in conjunction with the abutting lands for single detached dwellings, 1 block being a 0.30 m reserve, and 3 streets identified as the extensions of Eaglewood Drive, Dulgaren Street and Street "A", attached as Appendix "B"; and,
 - (ii) That the streets be named from the list of reserved street names for the City of Hamilton to the satisfaction of the City of Hamilton and the Region of Hamilton-Wentworth; and,
 - (iii) That the owner prepare and submit to the satisfaction of the Director of Planning and Development a municipal street numbering plan; and,
 - (iv) That the owner shall erect a sign in accordance with Section XI of the Subdivision Agreement prior to the issuance of a final release by the City of Hamilton; and,
 - (v) That the final plan conform with the Zoning By-law approved under the Planning Act; and,

- (vi) That the owner provide the City of Hamilton with a certified list showing the net lot area and width of each lot and block and the gross area of the subdivision in the final plan; and,
 - (vii) That the Owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton as provided for under Section 51 of the Planning Act; and,
 - (viii) That Lots 1 to 5 inclusive not be developed until such time as Street "A", abutting these lands is established and constructed to the satisfaction of the Manager, Development Engineering Section, Regional Environment Department; and,
 - (ix) That any dead-end and unopened sides of road allowances are terminated in 0.30 metre reserves; and,
 - (x) That Eaglewood Drive and Dulgaren Street be terminated with temporary asphalt turnarounds within the proposed 20 metre road allowances if Street "A" is not established to its full width with the development of any portion of these lands and that lots not be allowed to develop adjacent to the temporary asphalt turnarounds until such time as the permanent road has been established fronting onto these lots; and,
 - (xi) That the Owner agree in writing that Blocks 9 – 13, inclusive, are to be developed in conjunction with the abutting lands; and,
 - (xii) That the Owner enter into a subdivision agreement with the City of Hamilton prior to the development of any portion of the subject lands; and,
 - (xiii) That the Owner agree in writing to satisfy all requirements, financial and otherwise of the City of Hamilton, prior to development of any portion of these lands; and,
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (SA-98-06/25T-98014), "Eagleview Estates, Phase 3", proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,

- (c) That the Municipal Clerk be directed to advise the Director, Development Division, Regional Environment Department of Council's decision; and,
- B. That approval be given to Zoning Application ZAC-98-42, Harp Homes Building Corporation, prospective owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the use of the subject lands for single family dwellings, for lands located east of Upper Sherman Avenue, west of Eleanor Avenue and south of Dalia Avenue/Dulgaren Street, and located at the rear of 1501 Upper Sherman Avenue in the Eleanor Neighbourhood, as shown on the attached map marked as Appendix "A", on the following basis:
- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,
 - (b) That the Director of Planning and Development be authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-38C and E-38D for presentation to City Council; and,
 - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning.
2. **Zoning Application 97-41, by Anne E. Schoeman, owner, for a modification to the "D" District for property located at 233 – 235 Locke Street North.**

That approval be given to Zoning Application 97-41, Anne E. Schoeman, owner, requesting a modification to the established "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District, for property located at 233-235 Locke Street North, shown on the attached map marked as Appendix "C", on the following basis:

- (a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., 1990, to the subject lands by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until the applicant has applied for and received Site Plan Control Approval for the required parking layout, grading, and landscaping.

City Council may remove the 'H' symbol, and thereby give effect to the "D" Modified District provisions as stipulated in this By-law by enactment of an amending By-law once the condition is fulfilled; and,
- (b) That the "D" (Urban Protected Residential – One and Two Family Dwellings) District regulations as contained in Section 10 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

- (i) That notwithstanding Section 10(1) of Zoning By-law No. 6593, the existing building may be used as a multiple dwelling containing not more than four (4) Class "A" dwelling units, subject to the Residential Conversion Requirements of Section 19; and,
- (ii) That notwithstanding Section 19 and Section 18A of Zoning By-law No. 6593, a minimum of four (4) parking spaces shall be provided and maintained; and,
- (iii) Section 18A.(9) shall not apply; and,
 - (iv) Notwithstanding Section 10(3)(iii) of Zoning By-law 6593, a minimum rear yard depth of .20 m (.67 ft.) shall be provided and maintained for the existing attached concrete block building; and,
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1423, and that the subject lands on Zoning District Map W-11 be notated S-1423; and,
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-11 for presentation to City Council; and,
- (e) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

3. Zoning application 98-22, for property located at 1394 Upper Gage Avenue

That Zoning Application ZAC-98-22, Cantrico Investments Inc., owner, for a further modification to the "H" (Community Shopping and Commercial, etc.) District regulations to permit the temporary use of the lands for a third party/billboard sign for a period of 3 years, under Section 39 of the Planning Act, for property located at 1394 Upper Gage Avenue, as shown on the attached map marked as Appendix "D", be denied for the following reason:

That a third party/billboard sign is incompatible with, and will have negative impacts (visual intrusion) on the adjacent residential uses.

4. Proposed Draft Plan of Condo – Condo Conversion, 2 Cherry Hill Avenue and 89-101 Mount Albion Road

- (a) That approval be granted to application CDM-CONV-98-014 (Regional File 25CDM-98020) submitted by Four M & C Holdings Ltd., owner, for a draft plan of condominium for property located at No. 2 Cherry Hill Avenue – 89-101 Mount

Albion Road, as shown on the attached Plan marked as Appendix "E", to provide for a condominium comprised of 8 individual townhouse condominium units, subject to the following conditions:

- (i) That this approval applies to the attached draft plan dated September 29, 1998 (Appendix "E") prepared by A.T. McLaren Limited; and,
- (ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to the City/Region Law Department; and,
- (iii) That prior to approval of the final plan:
 - (1) property taxes shall be in good standing, plan of condominium shall conform with General Zoning By-law No. 6593 and the Official Plan, and,
 - (2) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593. and,
- (b) That the Municipal Clerk be directed to advise the Director of Development of the Community Planning & Development Division of Council's decision.

5. **Demolition – 184 Lottridge Street**

That the Building Commissioner be authorized to issue a demolition permit for 184 Lottridge Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

6. **“Eaglewood Estates – Phase 2”, Hamilton (Cash Payment in Lieu of 5% Parkland Dedication)**

That the City of Hamilton now accept the sum of \$10,000 as a cash payment in lieu of the 5% land dedication in connection with "Eaglewood Estates – Phase 2", Hamilton being the cash payment required under Section 51.1 of the Planning Act.

7. Bills

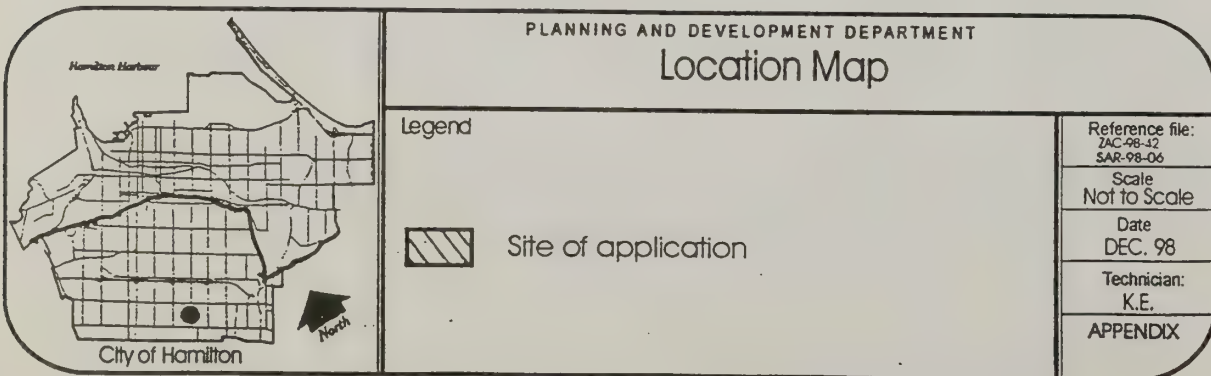
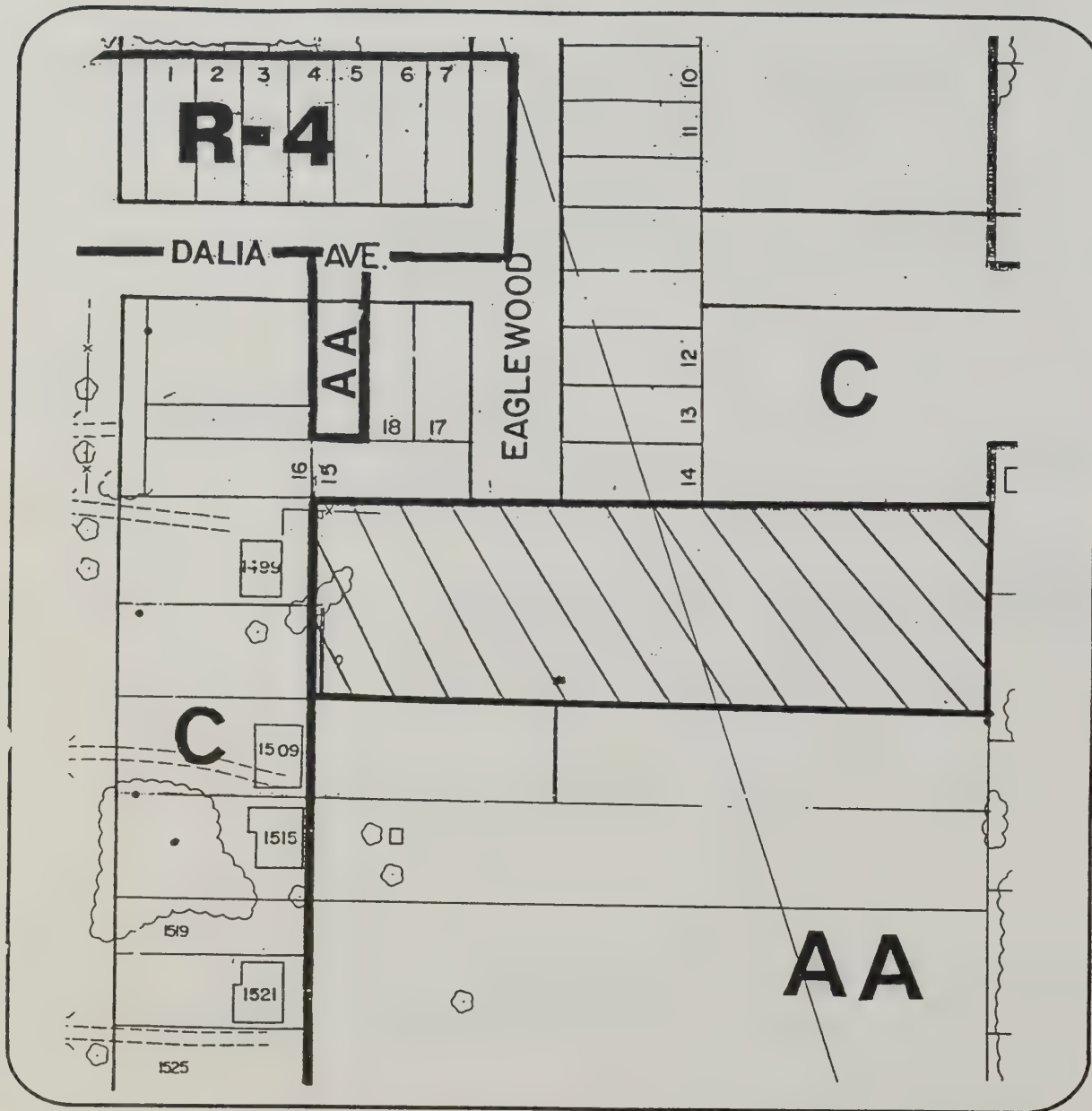
That the following Bill be adopted, signed, sealed and enrolled as a By-law:

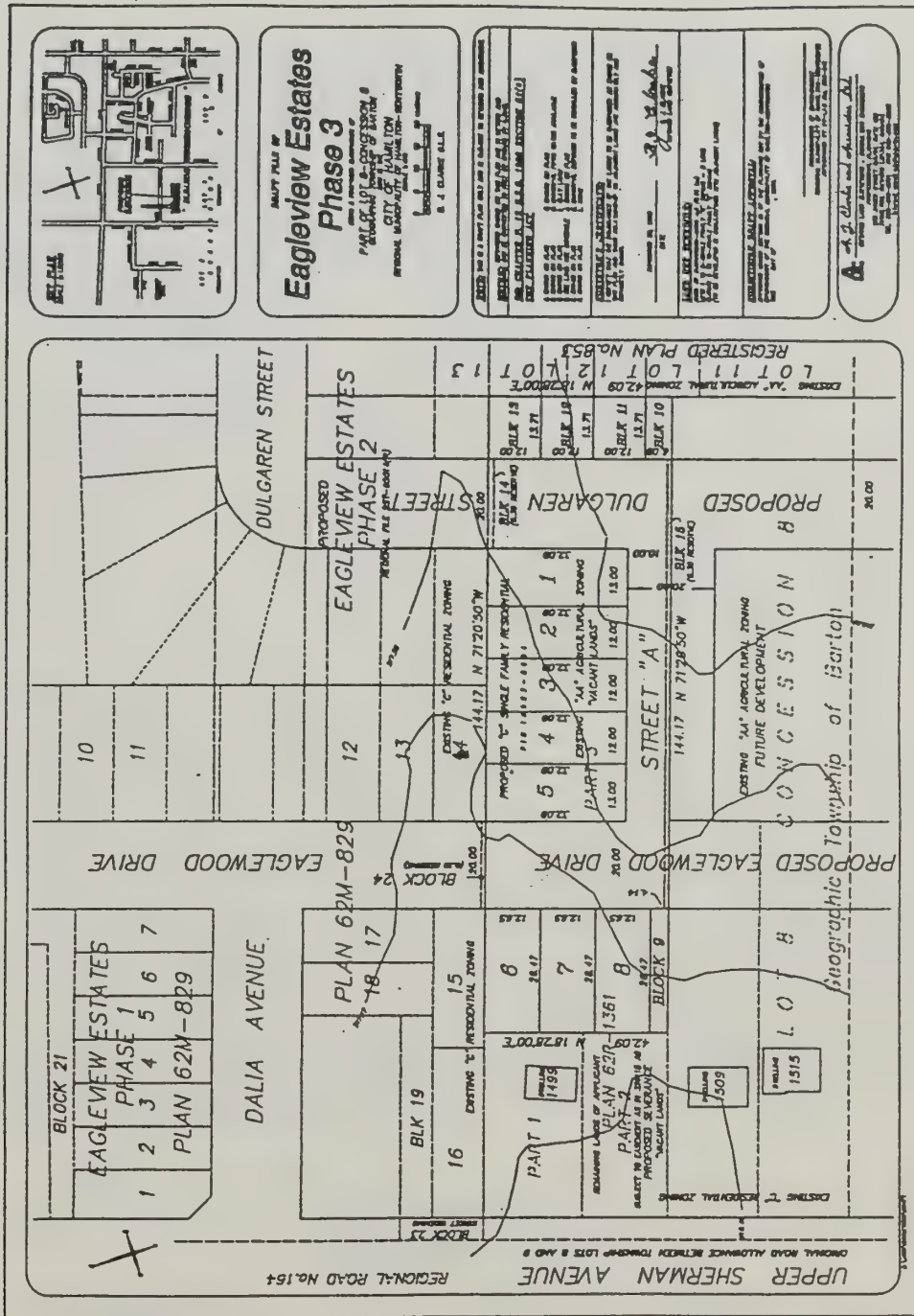
- (a) C-007 A By-law to Amend By-law No. 87-308 as Amended by By-laws No. 92-079, 98-118 and 98-149 Respecting Members of the Board of Management of the Barton Village Business Improvement Area.

Respectfully submitted,

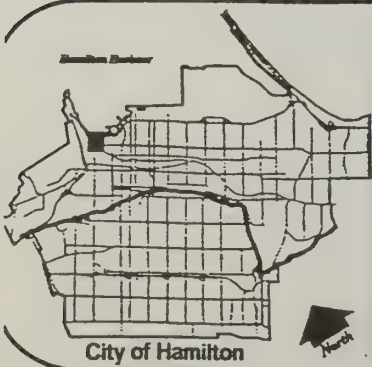
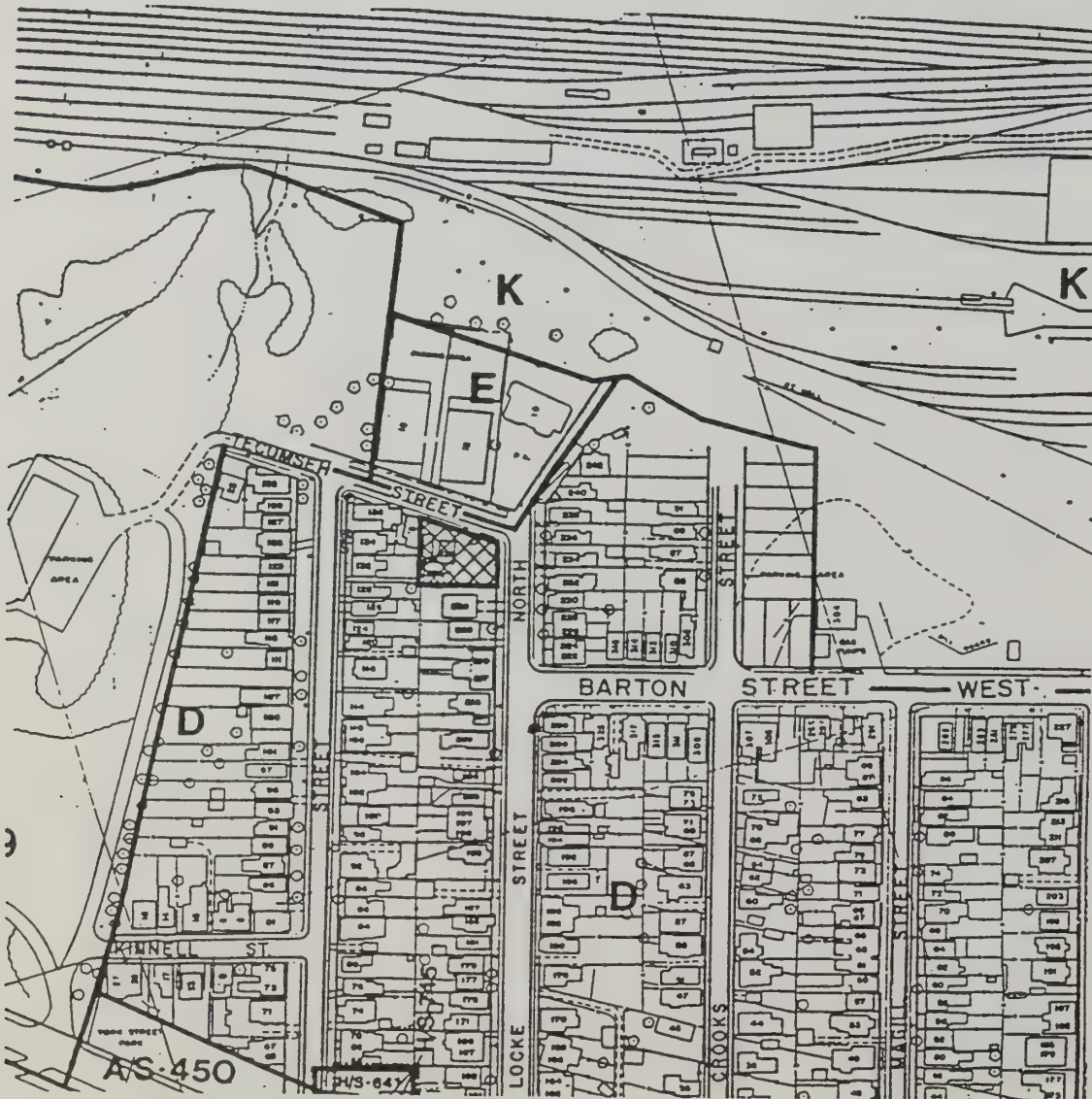
**ALDERMAN F. D'AMICO
PLANNING AND DEVELOPMENT
COMMITTEE**

**Tina Agnello, Secretary
February 3, 1999**





25T-98014



PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend



Site of Application

Reference file:

ZAC-97-41

Scale

Not to Scale

Date

January, 1999

Technician:

FAB



Hamilton Harbour

City of Hamilton

PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Reference file:
ZAC-98:22

Scale
Not to Scale

Date
December, 98

Technician:
F.N.

APPENDIX

Legend

Site of application



REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **THIRD** Report for 1999 and respectfully recommends:

1. **Authorization to enter into extension agreements on specific properties for the payment of realty tax arrears**

- (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the Corporate Counsel and the General Manager, Finance pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of property at:

- (i) 121 June Street
- (ii) 196 Sherman Avenue South

to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994; and,

- (b) That a by-law to authorize the said Extension Agreements be enacted by City Council; and,
- (c) That the Mayor and Municipal Clerk be authorized to execute the aforesaid by-law and extension agreements.

2. **By-law to repeal By-law No. 79-300 To Authorize Payment of Expenses of Members of Council, Officers, Servants and Other Persons appointed to a Local Board or Other Body**

That a By-law to repeal By-law No. 79-300 To Authorize Payment of Expenses of Members of Council, Officers, Servants and Other Persons Appointed to a Local Board or Other Body be enacted.

3. **Delegation of Authority to Staff for Routine Real Estate Matters**

- (a) That authority to approve the acquisition, disposition or lease of designated classes of, or interests in land; authority to approve and enter into agreements with the abutting landowners and authority to release covenants and conditions be delegated as follows:

(i) Acquisitions:

That authority to approve the acquisition of land or any interest in land (except for a leasehold interest) be delegated to the City Manager, General Manager of the relevant Division or their designates within the limits set out below and subject to the following conditions:

1. That sufficient funds are available within the departmental budgets and were approved by Regional/City Council for a use conforming with the project incorporated in the budget documents presented to Council; and,
2. That written notification be given to the Alderman/Councillor in the respective Ward/Municipality in which the land acquisition project is to take place, prior to commencing negotiations; and,
3. The acquisition price shall be at or below fair market value; and,
4. Fair market value shall be determined by appraisal (in-house, outside, verbal or written); and,
5. Fair market value shall not exceed:
 - (a) \$ 60,000 for the General Manager or designate; and,
 - (b) \$150,000 for the City Manager or designate; and,
6. The acquisition shall be on terms and conditions and in a form satisfactory to the Director of Legal Services.

(ii) Dispositions:

That authority to approve the disposition of land or any interest in land (except for a leasehold interest) be delegated to the City Manager, General Manager of the relevant Division or their designates within the limits set out below and subject to the following conditions:

- (1) That the departmental circulation process continue to be used for land considered to be surplus to a department; and,
- (2) Such land has been declared surplus by City or Regional Council, as appropriate, in accordance with the provisions of By-Law Nos. 95-049 or 95R-052, as may be amended; and,
- (3) The disposition price shall be at or above fair market value; and,
- (4) Fair market value shall be determined by appraisal (in-house, outside, verbal or written); and,

- (5) Fair market value shall not exceed:
 - (a) \$ 60,000 for the General Manager or designate; and,
 - (b) \$150,000 for the City Manager or designate; and
- (6) That written notification be given to the Alderman/Councillor in the respective Ward/Municipality in which the sale of land is to take place, prior to commencing negotiations; and,
- (7) Such land is being sold to the public, public utilities, other municipalities, conservation authorities, or the crown; or
- (8) Such land includes the sale of 0.3 metre (1 foot) reserves or closed or unopened portions of public highways or road allowances; and,
- (9) The disposition shall be on terms and conditions and in a form satisfactory to the Director of Legal Services.

(iii) Leases:

That authority to approve the lease of land by or to the City or Region, including any renewal of existing or expired leases, be delegated to the City Manager, General Manager of the relevant Division, or their designates, within the time limits set out below and subject to the following conditions:

- (1) The rent shall be at or below fair market value for leases to the City or Region and at or above fair market value for leases by the City or Region; and,
- (2) Fair market value shall be determined by appraisal (in-house, outside, verbal or written); and,
- (3) Fair market value shall not exceed:
 - (a) \$60,000 annual rental for the General Manager or designate; and,
 - (b) \$150,000 annual rental for the City Manager or designate;
- (4) The lease shall be on terms and conditions and in a form satisfactory to the Director of Legal Services; and,
- (5) The term of the lease, or any renewal, shall not exceed five (5) years; and,

(iv) Agreements with Abutting Landowners:

That authority to approve any agreements with abutting landowners, including but not limited to encroachment, landscaping, licence, and parking agreements, be delegated to the Department responsible for the land provided that:

- (1) The nature of the agreement is minor, as determined and approved by all affected departments and agencies; and,
- (2) The form, terms and conditions of the encroachment agreement are satisfactory to the Director of Legal Services; and,
- (3) The permit, legal fees and other costs, as determined by the City/Region and amended from time to time, are paid by the applicant.

(v) Roads/Road Widenings:

That authority to approve the extent and receipt of lands to be dedicated to the City/Region for roads or road widenings required as a condition of a Planning Act be delegated to the Senior Director, Roads Division or his designate.

(vi) Release and Discharges:

That authority to approve the preparation and registration on title of releases and discharges of expired and/or fulfilled covenants and conditions for development sales and for properties within the City and Regional Industrial Parks be delegated to the Director of Legal Services or his designate.

- (b) That the Director of Legal Services be authorized to prepare by-laws, for the consideration of City and Regional Councils, amending the respective Realty Sales Procedural By-Laws, (City By-Law No. 95-049; Regional By-Law No. 95R-052) in accordance with the foregoing; and,
- (c) That the Mayor and Municipal Clerk be authorized and directed to execute any document, approved by the Director of Legal Services, in connection with any transactions pursuant to Sections (i) to (vi) as noted above; and,
- (d) That a quarterly report be prepared and presented to Regional/City Council outlining all real estate transactions.

Recorded Vote.

YEAS: Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan – 14.

NAYS: Aldermen Kiss, Copps -2.

CARRIED.

4. City Council to Petition the Federal Government respecting the proposed move of Canadian jobs with Bell Canada to the United States

That City Council petition the Federal Government to take action with respect to the proposal of Bell Canada to move Canadian jobs to the United States.

5. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- D-3 A By-law to repeal By-law No. 79-300 to Authorize payment of expenses of members of Council, Officers, Servants and other persons appointed to a local Board or other Body.
- D-4 A By-law to authorize Extension Agreements for payment of Realty Tax Arrears
- D-5 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN D. WILSON
CHAIRMAN
FINANCE AND ADMINISTRATION
COMMITTEE**

**Susan K. Reeder
Secretary
February 2nd, 1999**

REPORT OF THE JOINT CITY/REGION BUDGET STEERING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Joint City/Region Budget Steering Committee presents its **FIRST** Report for 1999 and respectfully recommends:

1. Payroll Direct Deposit System

That the General Manager, Human Resources be authorized to implement a mandatory payroll direct deposit system for all Corporation employees.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16

NAYS: Alderman Copps. -1

CARRIED.

2. Terms of Reference

- (a) That a Terms of Reference for the Joint City/Region Budget Steering Committee as follows be approved:

JOINT CITY/REGION BUDGET STEERING COMMITTEE TERMS OF REFERENCE

City Council and Regional Council at their respective meetings held on January 19th, 1999 approved the following:

- (i) That a Joint City/Region Budget Steering Committee be established; and,
- (ii) That the Budget Steering Committee consult with the Management Team, Chairmen of the Standing Committees, and outside Boards and Commissions to formulate recommendations on operating and capital budgets; and,
- (iii) That the Budget Steering Committee report directly to City and Regional Councils; and,
- (iv) That the Budget Steering Committee consist of the following:

Councillor B. Charters
Alderman D. Wilson
Alderman D. O'Sullivan
Alderman A. Horwath
Councillor A. Sloat
Councillor R. Powers
Councillor G. Etherington
Alderman B. Kelly

Ex-Officio – Chairman T. Cooke
Mayor R. M. Morrow

The Joint City/Region Budget Steering Committee, at its first meeting held on Wednesday, January 27th, 1999 appointed Councillor B. Charters as Chairman.

The Joint City/Region Budget Steering Committee approved the following Proposed Workplan:

General:

- (i) Set budget objectives, plans and proposals including financial directives for budget process; and,
- (ii) Review proposals for achievement of financial directives forwarded by Senior Management Team; and,
- (iii) Consider budget criteria for priority setting, utilizing Council and other inputs; and,
- (iv) Review and recommend budget process and strategies; and,
- (v) Review and recommend proposed user fees; and,
- (vi) Review and recommend proposed utility rates; and,
- (vii) Review budget impacts of City's and Region's strategic direction, goals and plans (i.e., Vision 2020, etc.); and,
- (viii) Forward budget recommendations to Councils (Committees of the Whole) for consideration in the overall budget.
- (ix) That only City of Hamilton Aldermen and Mayor vote on exclusively City of Hamilton budget issues. **ADDED.**

Current Budget:

- (i) Review current maintenance budgets at the program level; and,
- (ii) Review program changes (i.e., reduction packages, new/enhanced programs, one-time items); and,
- (iii) Review and recommend current budget policies as required (i.e., consideration of controllable vs. uncontrollable costs; tracking of restructuring savings; methodologies for cost sharing; annualizations; funding of one-time costs); and,
- (iv) Review budget impact of restructuring plans forwarded by the Joint Finance and Administration Committee; and,
- (v) Review budget impact of departmental business plans forwarded by Standing Committees.

Capital Budget

- (i) Review and recommend capital budget policies as required and approve criteria for capital project priority setting.
- (b) That the Municipal Clerk's Office be responsible for notifying the Standing Committee Chairmen of the date of review of their budgets by the Budget Steering Committee.
- (c) That the Joint City/Region Budget Steering Committee consider avenues of public participation in the budget process. **ADDED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16

NAYS: Alderman Copps. -1

CARRIED.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
JOINT CITY/REGION BUDGET
STEERING COMMITTEE**

**Susan K. Reeder, Secretary
January 27th, 1999**

REPORT OF THE JOINT CITY/REGION BUDGET STEERING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Joint City/Region Budget Steering Committee presents its **SECOND** Report for 1999 and respectfully recommends:

1. Financial Targets

That the 1999 budget targets be set based on the 1998 approved budget as follows:

Net Capital Financing	0% increase from 1998 net levy
Police Services Board	0% increase from 1998 net levy
Outside Boards & Agencies (including Grants)	10% decrease from 1998 net levy
Departments/Divisions	
Operating Levy	3% decrease from 1998 net levy
Corporate Fiscal Issues	3% decrease from 1998 net levy

2. City Capital Budget Ranking Attributes

That the Proposed City Capital Budget Ranking Attributes, as referenced in the Report of the City Manager dated February 2nd, 1999 attached herewith and marked Appendix "A", be endorsed in principle.

Respectfully submitted,

**ALDERMAN B. CHARTERS
CHAIRMAN
JOINT CITY/REGION BUDGET
STEERING COMMITTEE**

**Susan K. Reeder
Secretary
February 4th, 1999**

February 9, 1999

Appendix "A" as referred to in
Section 2 of the Second Report for
1999 of the Joint City/Region Budget
Steering Committee

CITY OF HAMILTON/REGION OF HAMILTON-WENTWORTH

- RECOMMENDATION -

DATE: February 2, 1999

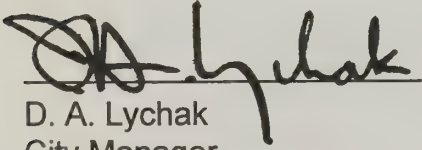
REPORT TO: Chairman and Members
Joint City/Region Budget Steering Committee

FROM: D. A. Lychak
City Manager

SUBJECT: Proposed City/Region Capital Budget Ranking Attributes
(CM99004)

RECOMMENDATION:

That the Joint City/Region Budget Steering Committee endorse the attributes and methodology for ranking the 1999 Joint City/Region Capital Budget in Report No. CM99004.


D. A. Lychak
City Manager

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

SUSTAINABLE COMMUNITY IMPLICATIONS:

(Vision 2020, adopted by Regional Council as its vision for the future of Hamilton-Wentworth, embodies the concept of a sustainable community which is an equal balance of the economy, the environment, and social/health factors in all regional decision-making.)

N/A

**Subject: Proposed City/Region Budget Ranking
Attributes (CM99004)**

Page 2

BACKGROUND:

Senior Management Team for the City/Region have formulated a joint City/Region Capital Budget Review Committee made up of senior staff from almost every Division within the amalgamated municipalities.

One of the first tasks assigned to this Review Committee was to formulate a ranking system which would provide a uniform structure for evaluating and prioritizing all City/Region Capital projects.

This report outlines the results from the Review Committee, which have been reviewed and supported by Senior Management Team and are being presented to the Joint City/Region Budget Steering Committee for consideration and endorsement.

COMMENTS:

Ranking systems are intended to provide consistent criteria for evaluating capital projects. Everyone in the organization should be playing by the same rules until the proposals go to the governing body for decision-making. Second, rating projects force all department heads to think about expenditures systematically and analytically. Finally, ranking systems provide the same base for prioritizing and reevaluating projects every year until the projects are either built or dropped.

The Joint City/Region Capital Budget Review Committee reviewed all existing ranking systems and criteria for the City of Hamilton and the Region of Hamilton-Wentworth and merged them into a single list of five ranking attributes. These five attributes are listed below with a brief description and an appropriate scale range.

CONTRACTUAL/LEGISLATED OBLIGATIONS ATTRIBUTE:

This attribute refers to contracts let during the preceding budget period(s) that extend into the upcoming budget period. For example, a roads or traffic project may be constructed in phases extending over three years. In addition, legislated or Ministry obligations are either:

- (1) "Orders" from provincial Ministries to comply to some standard; these often carry heavy sanctions to ensure compliance; or,
- (2) "Guidelines" that set standards but provincial Ministries subject to enforcement.
- (3) "Standards" from provincial legislation/regulations regarding such matters as public health and safety in the workplace.

**Subject: Proposed City/Region Budget Ranking
Attributes (CM99004)**

Page 3

The scale assigned to mathematically rank this attribute ranges from projects which have an "absolute requirement to meet Ministry order this budget cycle; penalty for failure to comply is severe" to "no obligation to fulfil existing contract this budget cycle".

HEALTH & SAFETY ATTRIBUTE:

This attribute includes such things as unsafe roadways, parking lots, pedestrian walkways, trip hazards, risk management or risk avoidance issues related to building equipment or components, life safety systems (sprinkler systems, fire alarm systems, toxic gas monitoring), environmental issues such as toxic leachate from landfill sites. The Municipality and provincial Ministries have standards of health and safety below which the condition is declared unsafe for the general public and staff. Capital projects that make these conditions safe score relatively high on the scale.

"Environmental" hazards often have an indirect impact on public health and safety. They, therefore, rank lower on the scale. For example, sub-standard combined sewage overflow to the harbour is an indirect environmental threat to human health; CSO holding tanks would reduce this hazard. Some projects are proposed as a fix for a potential hazard, i.e., the hazard does not yet exist but there is an unacceptably high probability that it will become real, say within the next three years. These receive a slightly lower value than comparable existing hazards.

MUNICIPAL STRATEGIC DIRECTION/VISION 2020:

Both the City and the Region have Strategic goals and directions which are intended to improve the quality of life and the image of the City/Region. This attribute is intended to evaluate both municipal visions by balancing the environment, social/health and economic factors to help ensure the residents and visitors to the City/Region have an effective environment in which to live, work and play.

Projects are sorted according to whether they have a positive, negative or neutral effect on these factors so one can easily see how a particular project ranks.

MUNICIPAL MANDATE ATTRIBUTE:

This attribute defines essential services/assets as those mandated by the Municipal statutory jurisdiction. Non-essential services/assets are not mandated but nonetheless bring substantial benefits to the Municipal. Essential services/assets are valued higher than non-essential services/assets. Within the essential and non-essential categories, developing new projects are valued lower than maintaining, upgrading or replacing existing assets; this incorporates the cost-benefit of getting best value for existing assets before investing in new.

**Subject: Proposed City/Region Budget Ranking
Attributes (CM99004)**

Page 4

OPERATING BUDGET/FINANCIAL IMPACT ATTRIBUTE:

The operating budget impact is defined to have 2 components. The Calculated Scale for each project should be added together for both components and then divided by 2 for the final ranking for each project.

(1) Current budget impact, which includes:

- (a) Staffing implication (FTE's)
- (b) Utilities, Cleaning, minor maintenance and upkeep
- (c) Major maintenance/systems replacements
- (d) Management contracts
- (e) Additional revenues

(2) Debt and Financing Charges:

- (a) The Finance Division calculates these costs and it is based on the NET Capital Cost to the Corporation.

It is important to include any Operating (i.e., grants, subsidies) and/or Capital subsidies (i.e., special assessments, Development charges) and identify the nature of the subsidy/cost share. Projects should not be proceeded with unless final confirmation of grants/subsidies/special assessments has been received.

WEIGHTING METHODOLOGY

The five attributes were ranked on a corporate basis by the Capital Budget Review Committee in the following order:

- Contractual/Legislated Obligations
- Municipal Mandate
- Hazard Safety
- Operating Budget/Financial Impact
- Strategic Direction/Vision 2020

The Rank Order Centroid (ROC) method of Weighting was used. This statistical model allows for objective application of a weight to mathematically calculate a project's ranking.

**Subject: Proposed City/Region Budget Ranking
Attributes (CM99004)**

Page 5

RANKING PROCESS:

The Capital Budget projects are all to be ranked and listed in order of priority, with the highest priority project receiving the highest rating. Ideally, each departmental submission should be presented and rated in a summary and submitted to the Joint City/Region Capital Budget Review Committee. This makes the ranking process, (i.e., municipally, corporately, divisionally, departmentally and by funding source) much more efficient and more easily understandable for decision-makers.

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton.

Members of Council

The Committee of the Whole presents its **SECOND** Report for 1999 and respectfully recommends:

1. (a) That the Council resolution of January 26, 1999 respecting pursuing of an injunction and judicial review in regard to the location of the Correctional Services Facility at 126 Main Street East be rescinded; and,

(b) That the draft Interim Control By-laws prepared by staff respecting this Facility be received and held in abeyance.

(c) That the General Manager of Community Planning and Development be directed to undertake a study in respect of land use planning policies concerning places of detention, short-term care facilities and residential care facilities for all lands located in the City of Hamilton and the Region of Hamilton-Wentworth.
2. That the City of Hamilton 1999 Interim Taxation By-law as adopted by City Council on February 2, 1999 be amended to change the due date for the first 1999 interim installment of Taxation for the Residential, Farmland and managed Forest classes of property, from February 26th, 1999 to March 1st, 1999.
3. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

F-1 A By-law to Amend By-law No. 99-015 Respecting An Interim Tax Levy.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE**

J. J. Schatz
Municipal Clerk

JJS/bc

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M21

1999

February 23, 1999

URBAN
MUNICIPAL

Minutes of Hamilton City Council
Tuesday, February 23, 1999
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

MAR 18 1999

GOVERNMENT DOCUMENTS

The Council met:

There were present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath,
R. Corsini, B. Morelli, D. Haining, D. Wilson,
G. Copps, C. Collins, F. Eisenberger, T. Jackson,
B. Charters, T. Anderson, B. Kelly, F. D'Amico,
D. O'Sullivan

Mayor R. M. Morrow called the meeting to order.

Mayor R. M. Morrow led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented Certificates of Recognition to the Hamilton Arts Awards Program. In attendance were: Linda Bosela, City Wide Choir; Wally Faloney, Contractors Machinery and Equipment Ltd.; Alan Flint, Artist and Commercial Painter; Vivian Johnson, Yale Properties - Jackson Square Management; Anita Peng, the Boutique; Joanne McCallum and Greg Sather, McCallum Sather Architects; Sandy Tharme and Mark Tharme, Tharme Design Associates.

Mayor R. M. Morrow presented a Certificate of Recognition to former members of the Arts Advisory Commission Members. In attendance were Tricia Naber and Susan Penrose.

Mayor R. M. Morrow presented a Ms. Pacman Award to Rick Fothergill for holding the world record high score.

208 10K 40 PAB
12M
PAP 1
February 23, 1999

Mayor R. M. Morrow presented a Certificate of Recognition to Path Employment Services their outstanding contribution in assisting the disabled in our community in obtaining the necessary tools and providing placement with employers for the past 26 years.

ADOPTION OF MINUTES

The minutes of the meeting held February 9, 1999 were adopted as circulated.

CORRESPONDENCE

1. Letter dated 1999 February 16 from J. J. Schatz, Municipal Clerk respecting an objection to By-law No. 98-313: A By-law Respecting Interim Control By-law Re: Windermere Basin.

Received.

2. Application dated 1999 February 9 from Ed Fothergill, Fothergill Planning and Development, for Official Plan Amendment and Zoning Application 99-04 for a further modification to the established "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District for 180 Walnut Street South, Hamilton.

Received.

3. Application dated 1999 February 9 from 774728 Ontario Limited and Mengch Holdings Ltd., for a further modification to the "HH" (Restricted Community Shopping and Commercial etc.) District for 86 Mall Road, Hamilton.

Received.

4. Application dated 1999 February 17 from Oakwood Retirement Communities Inc., for and Official Plan Amendment 159 – West side of Upper Wentworth Street North of Rymal Road East, Hamilton.

Received.

5. Memorandum dated February 19, 1999 from Susan K. Reeder, Secretary, Smoking By-law Task Force Re: Final Report.

Received and Referred to Staff.

It was moved by Alderman Kiss and seconded by Alderman Copps that the Reports of the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, the Nominating Committee, and the Committee of the Whole be considered in Committee of the Whole with Alderman Caplan in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – FOURTH REPORT

Section 1 Re: City Initiative 98-B, Restaurant Parking

Recorded vote.

YEAS: Mayor Morrow, Aldermen Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Aldermen Kiss, Caplan, Copps. -3.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – FIFTH REPORT

Section 1 Re: Identification of Preferred Site for Urban Entertainment Centre Funding for a Consultant

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. –1.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE – FOURTH REPORT

Rule No. 9 Re: Remuneration and Expenses Report

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to follow consideration of a resolution respecting the remuneration and expenses paid to members of council and members of other bodies for the year 1998. **CARRIED.**

* * * * *

Section 7 Re: Remuneration and Expenses Report

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following be added as Section 7 of the FOURTH Report for 1999 of the Finance and Administration Committee

7. That in accordance with Section 247 of the Municipal Act, the Statement of the Treasurer (General Manager, Finance) summarizing remuneration and expenses paid to Members of Council and members of other bodies for the year 1998, attached herewith and marked Appendix "B", be received by City Council. **CARRIED.**

CITY OF HAMILTON LICENSING COMMITTEE – SECOND REPORT

Section 3 Re: Cab Driver Licence Application – Guillermo A. Ventura

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. –1.

CARRIED.

* * * * *

Section 7 Re: Cab Driver Licence Application – John Sislian

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. –1.

CARRIED.

NOMINATING COMMITTEE – FIRST REPORT

COMMITTEE OF THE WHOLE – THIRD REPORT

Section 1 Re: Advanced Funding Program

It was moved by Alderman Charters and seconded by Alderman Wilson that Section 1 of the Third Report of the Committee of the Whole be amended by deleting the figure \$469,553 in the fourth line of sub-section (b) and substituting in lieu thereof the figure \$457,553; and further by deleting the figure \$96,500 in the fourth line of sub-section (c) and substituting in lieu thereof the figure \$108,500; and further by

deleting Appendix "C" in its entirety and replacing it with the attached. **CARRIED.**

Recorded vote as amended.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1. **CARRIED.**

ACTING MAYOR FOR THE MONTH OF MARCH, 1999
--

It was moved by Alderman Kiss and seconded by Alderman Copps that Alderman D. O'Sullivan be appointed Acting Mayor for the month of March, 1999. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Reports of the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, the Nominating Committee, the Committee of the Whole, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0. **CARRIED.**

February 23, 1999

City Council then adjourned at 8:30 o'clock p.m.

Taken as read and approved.

MAYOR R. M. MORROW
CHAIRMAN

J. J. Schatz
Municipal Clerk
February 23, 1999
JJS/dg

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTH** Report for 1999 and respectfully recommends:

1. **City Initiative 98-B, Restaurant Parking**

That approval be given to City Initiative 98-B to amend Section 18A. Parking and Loading Requirements of Zoning By-law No. 6593, respecting the location of vehicular access points for restaurant parking in an "H" District, on the following basis:

- (a) That Section 18A .(36) 2 of Zoning By-law No. 6593 be amended by adding the words "parking for" before "a restaurant" in the second line so that the section shall read as follows:
 - "2. No points of ingress or egress at the lot line, to or from the lot on which parking for a restaurant is located shall be situated closer than 30.0 metres (98.43 feet) to a residential district boundary."; and,
- (b) That the City/Regional Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,
- (c) The proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Aldermen Kiss, Caplan, Copps. -3. **CARRIED.**

2. **SA-98-02 & ZA-98-29, Land at 803, 819, 823, 865 and 871 West 5th Street**

- A. (a) That approval be given to Subdivision Application 98-02, (Regional File No. 25T-98005), 1125814 Ontario Inc. (Silvestri Investments), prospective owner to establish a draft plan of subdivision "Parkway Manor", on lands located east of West 5th Street and south of the Lincoln M. Alexander Parkway, known municipally as 803, 819, 823, 865 and 871 West 5th Street, in the Kernighan Neighbourhood, as shown on the attached map marked as Appendix "A", subject to the following conditions:
- (i) That this approval apply to the plan prepared by A.J. Clarke & Associates Ltd., and certified by M.J. Terry, O.L.S., dated June 29, 1998, as revised in red, showing 58 lots for single detached dwellings, 10 blocks to be developed with the abutting lands for single detached dwellings, 1 block for road widening purposes, 2 blocks for 0.30 m reserves, and three streets identified as Street "A", Street "B" and Street "C", attached as Appendix "B"; and,
 - (ii) That Street "A", Street "B" and Street "C" be named to the satisfaction of the City of Hamilton and the Region of Hamilton-Wentworth; and,
 - (iii) That the owner prepare and submit, to the satisfaction of the Director of Planning and Development a municipal street numbering plan; and,
 - (iv) That the owner shall erect a sign in accordance with Section XI of the Subdivision Agreement prior to the issuance of a final release by the City of Hamilton; and,
 - (v) That the final plan conform with the Zoning By-law approved under the Planning Act; and,
 - (vi) That the owner provide the City of Hamilton with a certified list showing the net lot area and width of each lot and block and the gross area of the subdivision in the final plan; and,
 - (vii) That the Owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton as provided for under Section 51 of the Planning Act; and,

- (viii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority; and,
- (ix) That the Owner agree in writing not to apply for a Building Permit for Blocks 59 - 64, inclusive, Blocks 67 - 69, inclusive and Block 71 until such time as these lands have been assembled with the abutting lands to create building lots to the satisfaction of the Director, Planning and Development Department; and,
- (x) That the Owner agree in writing that Lot 10 and Blocks 64 and 71 are not to be developed until such time as Blocks 64 and 71 and the abutting lands have been assembled to the satisfaction of the Director, Planning and Development Department; and,
- (xi) That the Owner agree to include the following warning clause to be registered on title of all Lots and Blocks within the plan of subdivision, and the owner shall ensure that the warning clause is included in all offers of purchase and sale and reservation agreements to the satisfaction of the Director of Planning and Development and the City/Regional Solicitor:

"Purchasers are advised that noise levels originating from the Lincoln M. Alexander Parkway may become of concern, occasionally interfering with some activities of the occupant;"; and,
- (xii) That the Owner acquire the lands shown as Part 2 on Reference Plan 62R-10580 to establish Street "B" from West 5th Street to the west limit of the subdivision, and that Street "B" be dedicated to the City of Hamilton, prior to the registration of the first phase of development; and,
- (xiii) That the Owner agree in writing that the lands, shown as Part 2 on Reference Plan 62R-10580 and not required for roadway purposes, are not to be developed until such time as these lands have been assembled with the abutting lands to create building lots to the satisfaction of the Director, Planning and Development Department; and,

- (xiv) That the final plan of subdivision provide for a 0.30m reserve along the southerly limits of Street "B" for a distance of 45m to the satisfaction of the Manager, Development Engineering Section, Regional Environment Department; and,
- (xv) That the radii labeled on the north-south section of Street "A" shown as 100m and 120m be reversed; and,
- (xvi) That Lots 29 to 35 inclusive, and Blocks 64 and 71 not be developed until such time as the cul-de-sac on Street "C" is established to its full width; and,
- (xvii) That a 10m radius transition be provided out of the cul-de-sac bulb on Street "C"; and,
- (xviii) That 1m by 1m daylight triangles be provided at the intersection of Street "B" and Street "C"; and,
- (xix) That 2m by 2m daylight triangles be established on all L-shape bends in the roadway, which includes Lots 8 and 18 on the draft plan submitted; and,
- (xx) That the maximum number of residential dwelling units with one public access street not exceed 100 units on a temporary basis; and,
- (xxi) That Lots 1 to 18 inclusive and Block 63 not be developed until either full street access is provided from adjacent lands to the south or Street "A" is established and constructed to its full 20m width; and,
- (xxii) That Lots 19 to 24 inclusive not be developed until such time as Street "A", abutting these lands is established and constructed to its full 20m width; and,
- (xxiii) That Block 66 (0.30m reserve) be deleted from the final plan; and,
- (xxiv) That any dead-end and unopened sides of road allowances be terminated in 0.30 metre reserves; and,
- (xxv) That the owner provide a temporary cul-de-sac at the south termination of Street "A" constructed to Ontario Provincial Standards, with a 9 metre radius bulb enclosed by curbs, with a 15 metre radius of road right-of-way to

the satisfaction of the Commissioner, Department of Public Works and Traffic; and,

(xxvi) That the owner prepare and submit to the satisfaction of the Commissioner of Transportation and the Commissioner of Public Works and Traffic a driveway location plan for Lots 10, 11, 30 to 35, inclusive, and 43 to 50, inclusive, demonstrating that the driveways do not overlap onto the adjacent property; and,

(xxvii) That the owner agree in writing to register on title of Lots 10, 11, 30 to 35, inclusive and 43 to 50, inclusive, the approved driveway location plan showing the driveway location. The owner shall also ensure that the driveway location plan is included in all offers of purchase and sale and reservation agreements, to the satisfaction of the Commissioner, Department of Public Works and Traffic and the City/Regional Solicitor; and,

(xxviii) That the applicant prepare and implement an erosion and sediment control plan for the subject property to the satisfaction of the Manager, Development Division, Regional Environment Department and the Hamilton Region Conservation Authority. The approved plan is to include the following notes:

- (a) All erosion and sediment control measures shall be installed prior to development and maintained throughout the construction process, until all disturbed areas have been revegetated; and,
- (b) All erosion and sediment control measures shall be inspected after each rainfall, or alternatively every 14 days, to the satisfaction of the Manager, Development Division, Regional Environment Department and the Hamilton Region Conservation Authority; and,
- (c) Any disturbed area not scheduled for further construction within 45 days shall be provided with a suitable temporary mulch and seed cover within 7 days of the completion of that particular phase of construction; and,

- (d) All disturbed areas shall be revegetated with permanent cover immediately following completion of construction; and,
 - (xxix) That the Owner prepare and implement a stormwater management plan for the subject property to the satisfaction of the Manager, Development Division, Regional Environment Department and the Hamilton Region Conservation Authority. The approved plan shall address stormwater quality and quantity issues and will ensure that current Provincial drainage and stormwater quality guidelines are implemented; and,
 - (xxx) That the Owner dedicate Block 70, being a 5.18m road widening, to the Region of Hamilton-Wentworth to the satisfaction of the Manager, Development Engineering Section, Regional Environment Department; and,
 - (xxxi) That the applicant/owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton prior to development of any portion of these lands; and,
 - (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (SAC-98-02/25T-98005), "Parkway Manor", proposed draft plan of subdivision, and, that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,
 - (c) That the Municipal Clerk be directed to advise the Director, Development Division, Regional Environment Department of Council's decision.
- B. That approval be given to Amended Zoning Application 98-29, 1125814 Ontario Inc. (Silvestri Investments), prospective owner for changes in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc) District (Block "1"); from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified, (Block "2"); from "AA" (Agricultural) District to "R-4" (Small Lot Single Family) District, modified (Block "3"); from "AA" (Agricultural) District to "R-4" (Small Lot Single Family) District, modified (Block "4"); from "AA" (Agricultural) District to "C" – 'H' (Urban Protected Residential, etc -

Holding) District, modified (Block "5"); and from "AA" (Agricultural) District to "C" – 'H' (Urban Protected Residential, etc - Holding) District (Block "6"), for lands located east of West 5th Street and south of the Lincoln M. Alexander Parkway, known municipally as 803, 819, 823, 865 and 871 West 5th Street, in the Kernighan Neighbourhood, as shown on the attached map marked as Appendix "A", on the following basis:

- (a) That Block "1" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc) District; and,
- (b) That Block "2" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc) District, modified; and,
- (c) That Block "3" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single Family) District, modified; and,
- (d) That Block "4" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single Family) District, modified, and,
- (e) That Block "5" be rezoned from "AA" (Agricultural) District to "C" – 'H' (Urban Protected Residential, etc - Holding) District, modified; and,
- (f) That Block "6" be rezoned from "AA" (Agricultural) District to "C" – 'H' (Urban Protected Residential, etc - Holding) District; and,
- (g) That the Freeway Standards regulations as contained in Section 6 of Zoning By-law No. 6593, applicable to Blocks "2", "3", "4" and "5" be modified to include the following variance as a special requirement:
 - (i) Notwithstanding Section 6.(19)(a) of Zoning By-law No. 6593, no residential structure shall be located closer than 12.5m from the Mountain Freeway right-of-way; and,
- (h) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to Blocks "5" and "6", by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as the availability of all such municipal sewers servicing the subject lands as the City deems necessary.

City Council may remove the 'H' symbol, and thereby give effect to the "C" District provisions as stipulated in the By-law, by

enactment of an amending By-law once the condition is fulfilled;
and,

- (i) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1424. and that the subject lands on Zoning District Map W-9B be notated as S-1424; and,
- (j) That the City/Regional Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9B for presentation to City Council; and,
- (k) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

3. Staircase Theatre, 27 Dundurn Street North - Exemption from Requirements for Securities Under Site Plan Control

That the request for a three (3) year time frame for the Completion of Works under Site Plan Control and exemption from Site Plan Control Security Requirements by Hugh MacLeod, owner of lands at 27 Dundurn Street North for a 60 seat live theatre with attendant facilities, a 24 seat restaurant and 1 dwelling unit within the existing building, as shown on the attached map marked as Appendix "C" be approved.

4. Barton Village Business Improvement Area – Revised Board of Management

- (a) That Schedule 'B' of By-law No. 87-308, as amended, appointing the Barton Village B.I.A.'s Board of Management, be repealed and the following names substituted:

SCHEDULE 'B'

D. Boukhers
J. Hendry
S. Manners
J. Hilger
J. Howard
P. Nusca
M. Tollis
N. LaSala
R. Palmese
K. Cody
J. Sellers

Farah's Foodmart
Hendry's Family Shoes
Siemens Westinghouse Inc.
Ways to Wisdom
Econ-o-wash Laundry
Nusca Custom Tailors Ltd.
Riviera Banquet Centre
Nick's Auto Service
Palmese Photodesign Group Inc.
Orthopaedic Services
Sottomayor Bank Canada

- (b) That the City/Regional Solicitor, Corporate Services, be directed to amend Schedule 'B' of By-law No. 87-308 pursuant to (a) above.

5. **Concession St. Business Improvement Area-Revised Board of Management**

- (a) That Schedule 'B' of By-law No 86-144, as amended, appointing the Concession Street B.I.A.'s Board of Management, be repealed and the following names substituted:

SCHEDULE 'B'

Rino Bistoyong	616 Concession St.,	Canfin Financial Group Inc. (Owner)
Debby Johnson	576 Concession St.,	Why Pay More (Tenant)
Paul Wharton	552 Concession St.,	Wharton Copy Print (Owner)
Roger Burrough	588 Concession St.	Camtech Photo Services (Owner)
John Woolcott	536 Concession St.,	Woolcott Shoes (Owner)
Betty Toplack	560 Concession St.,	Mountain Book Store (Tenant)

- (b) That the City/Regional Solicitor, Corporate Services, be directed to amend Schedule 'B' of the By-law No. 86-144 pursuant to (a) above.

6. **Downtown Hamilton Business Improvement Area - Proposed Budget and Schedule of Payments for 1999**

- (a) That the 1999 operating budget for the Downtown Hamilton B.I.A., attached as Appendix "D" be approved in the amount of ninety-eight thousand, two hundred and forty dollars (\$98,240); and,
- (b) That the General Manager of Finance be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 1999 budget as referenced in (a) above; and,

- (c) That the following schedule of payments for 1999 be approved:

February 01	\$24,560
March 01	\$24,560
June 01	\$24,560
September 01	\$24,560

Note: 1998 assessment appeals may be deducted from the 1999 levy payments.

7. One Year Extension for the Approval of Site Plan Control Application DA-96-32, for Lands Located at 25 and 35 Rymal Road West.

That approval be given to the request by Future Homes and St. Michael Place Inc., owner of the lands at 25 & 35 Rymal Road West, as shown on the attached map marked as Appendix "E", for an extension to the approval of Site Plan Control Application DA-96-32 to March 7, 2000, and that at the end of the extension period if a Building Permit has not been issued, the proposed development must be subject to a new Site Plan Control Application.

8. 1999 Planning Conferences

- (a) That the Chairman or his designate and two other members of the Planning and Development Committee attend the 1999 American Planning Association National Conference in Seattle, April 24-28; and,
- (b) That the Chairman or his designate attend the 1999 Canadian Institute of Planners Conference in Montreal, June 6-9; and,
- (c) That cost for attendance be allocated to the Alderman Travel Account No. CH55201-10010, from the 1999 Operating Budget.

9. Declaration of Surplus Property/Inclusion in the Land Titles & Rezoning Application for – 837 West 5th Street

- (a) (i) That the property at 837 West 5th Street be declared surplus to the requirements of the City of Hamilton in accordance with the Real Property Sales Procedural By-law No. 95-049; and,
- (ii) That the Real Estate Division be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049; and,

- (b) That 1125814 Ontario Ltd. (Paul Silvestri, President) be authorized to include the City owned lands known as 837 West 5th Street, more specifically designated as Part 2 on Plan 62R-10580 in their application for the rezoning of their own lands and registration of the same lands into the Land Titles System.

10. Extension of Construction Dates – 1650 Upper Ottawa Street

- (a) That the Offer to Purchase the lands of The Corporation of the City of Hamilton known as 1650 Upper Ottawa Street, duly executed by AFFG Properties & Investments Inc. on March 16, 1998 and approved by City Council on April 28, 1998, Item 12 of the 8th Report of the Planning and Development Committee, be amended as follows:
 - (i) that clause 6.3, 1., the commencement of construction date be extended from June 27, 1999 to December 31, 1999; and,
 - (ii) that clause 6.3, 2., the completion of construction date be extended from June 27, 2000 to December 31, 2000; and,
- (b) That all other conditions of the Agreement shall remain the same and time is of the essence; and,
- (c) That the Legal Services Section be authorized and directed to take the appropriate action in dealing with this matter.

11. Elevators in Residential Buildings

That the City/Regional Solicitor be authorized and directed to amend Property Standards By-law 98-243 to include the following new requirements:

- (a) In multiple dwellings more than three (3) storeys in height, but not more than six (6) in height, where existing elevators for use by tenants are provided, at least one elevator shall be properly maintained and kept in operation except for such reasonable time as may be required to repair or replace, and;
- (b) In multiple dwellings more than six (6) storeys in height, elevators intended for use by tenants shall be properly maintained and kept in operation except for such reasonable time as may be required to repair or replace them.

12. Bills

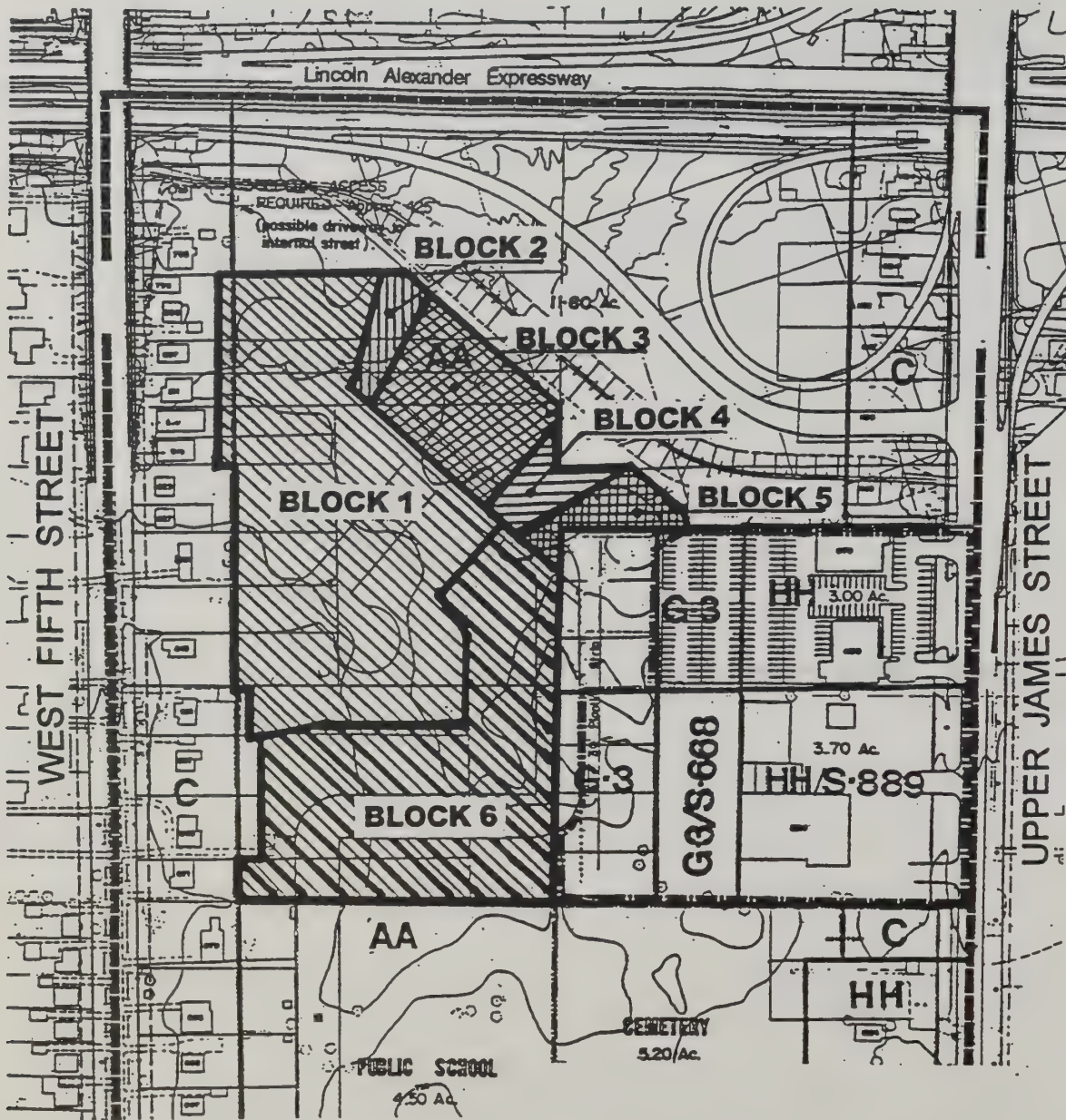
That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-8 A By-law to Amend By-law 98-243 Respecting Maintaining Elevators in Operating Condition.
- (b) C-9 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located South of Stonechurch Road West and West of West Fifth Street.

Respectfully submitted,

**ALDERMAN F. D'AMICO
PLANNING AND DEVELOPMENT
COMMITTEE**

**Tina Agnello, Secretary
February 17, 1999**



PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend

Change in Zoning from:

BLOCKS

- 1 "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District
- 2 "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified
- 3 "AA" (Agricultural) District to "R-4" (Small Lot Single Family) District, modified
- 4 "AA" (Agricultural) District to "R-4" (Small Lot Single Family) District, modified
- 5 "AA" (Agricultural) District to "C" - "H" (Urban Protected Residential, etc. - Holding) District, modified
- 6 "AA" (Agricultural) District to "C" - "H" (Urban Protected Residential, etc. - Holding) District

Reference file:

ZA-98-29

Scale

Not to Scale

Date

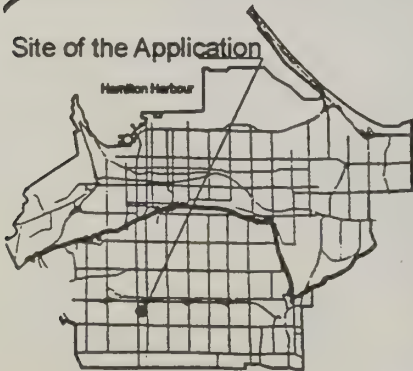
February, 1999

Technician:

B. B.

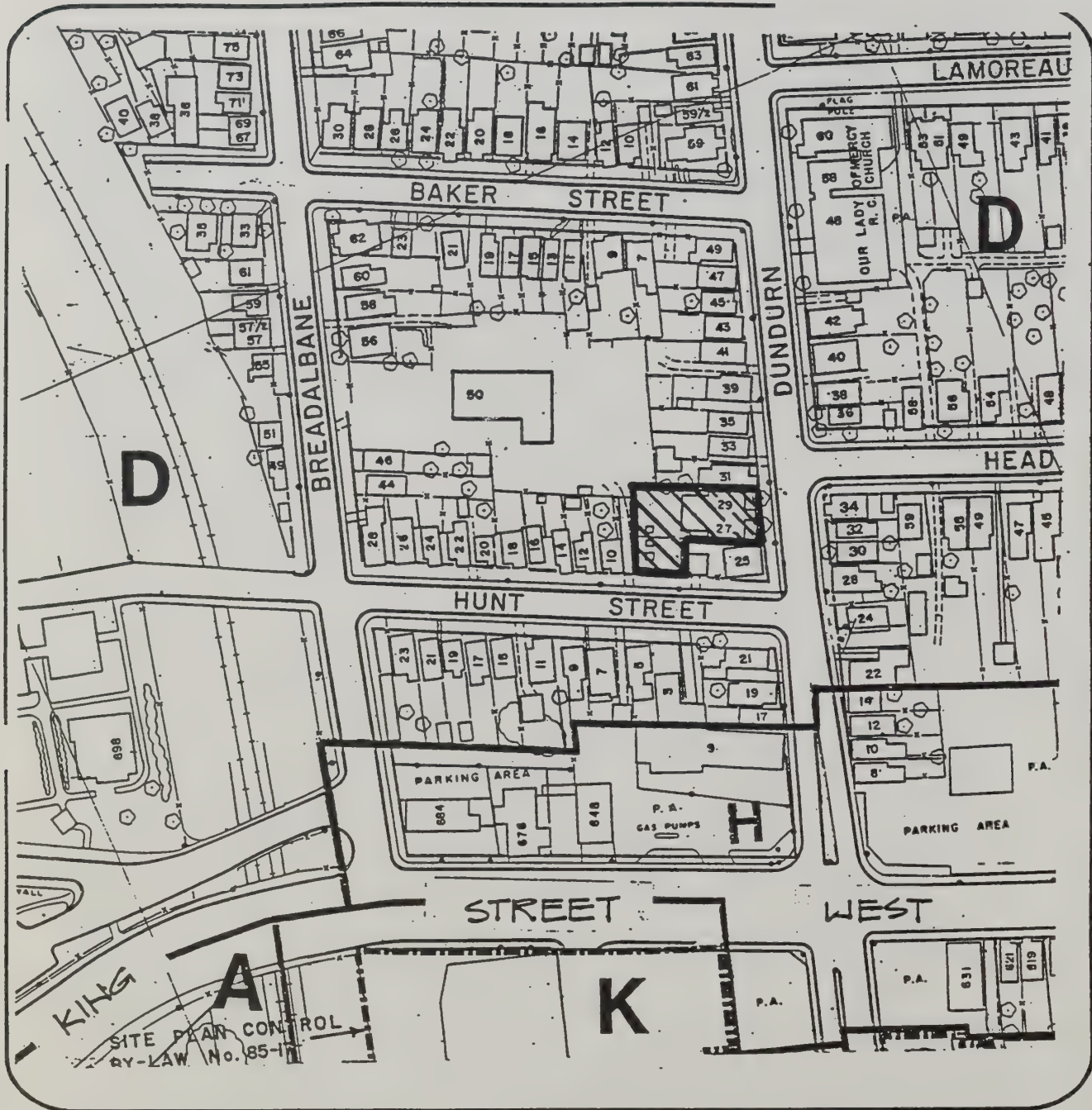


Site of the Application



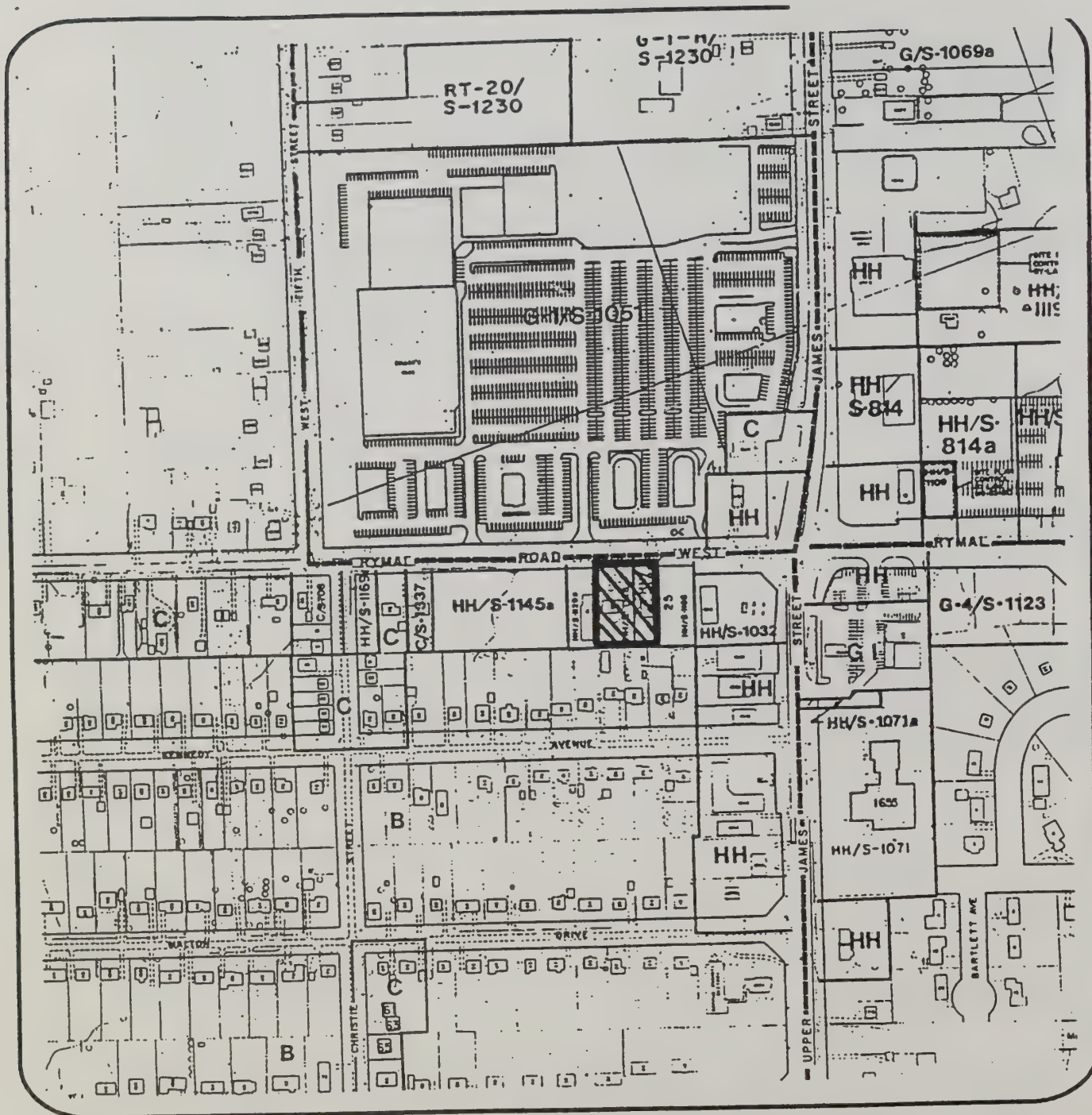
City of Hamilton





**DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA'S
1999 OPERATING BUDGET**

Promotions and Special Events (summer programs, sponsorships, Christmas, advertising, other events)	\$27,240
Administration and Other Expenses (rent, meetings, utilities, office expenses and supplies, telephone, meetings, salary of Executive Director, etc.)	\$71,000
TOTAL	\$98,240



PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend



Site of Application

Reference file:

DA-96-32

Scale

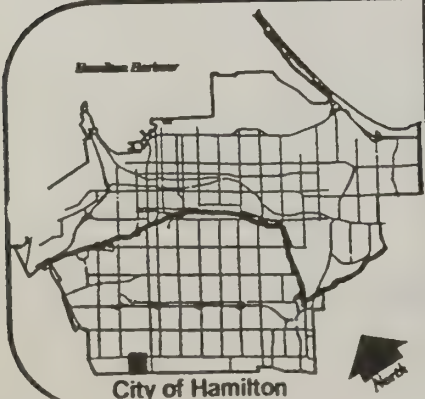
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Date

January, 1999

Technician:

FAB



City of Hamilton

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIFTH** Report for 1999 and respectfully recommends:

1. Identification of Preferred Site for Urban Entertainment Centre – Funding for a Consultant

- (a) That the City of Hamilton provide \$10,000 towards the cost of preparing an architectural and planning design study for the urban entertainment centre that includes:
 - (i) schematic layouts and floor plans for the urban entertainment centre; and,
 - (ii) building elevations for the centre; and,
 - (iii) the traffic flows and impacts emanating from such a facility; and,
 - (iv) general site requirements in terms of size of a site; and,
- (b) That the General Manager, Finance recommend the source of financing for the architectural and planning design study for the Urban Entertainment Centre.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. –1.

CARRIED.

Respectfully submitted,

**ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

**Tina Agnello, Secretary
February**

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FOURTH** Report for 1999 and respectfully recommends:

1. City/Region Pension Assets

- (a) That the General Manager, Finance, be authorized and directed to rationalize the investment managers and assets of the Hamilton Municipal Retirement Fund, the Hamilton-Wentworth Retirement Fund and the Hamilton Street Railway Pension Fund to pursue a goal of a similar asset mix, investment manager structure and strategy for the three retirement funds and to report back to their respective Finance and Administrative Services Committee on the results of these changes; and,
- (b) That the General Manager, Finance be authorized and directed to investigate an asset merger of the assets of the Hamilton Municipal Retirement Fund, the Hamilton-Wentworth Retirement Fund and the Hamilton Street Railway Pension Fund to be structured as an Informal Master Trust, in a form satisfactory to Corporate Counsel, James P. Marshall, and the Trustee and Custodian of the three retirement funds and to report back to their respective Finance and Administrative Services Committee on the results of these changes.

2. Declaration of Surplus Property – 76 John Street North

- (a) That the property at 76 John Street North be declared surplus to the requirements of the City of Hamilton in accordance with the Real Property Sales Procedural By-law No. 95-049; and,
- (b) That the Real Estate Division be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049; and,
- (c) That any sale of the subject property include a covenant that these lands are to be developed or included in a comprehensive development within two years of the closing date of the sale.

3. Supply and Leasing Services for Desktop and Notebook Personal Computers, Printers, Network Servers, and Related Components

- (a) That JMG CompuSmart be approved for the supply and delivery of desktop and notebook personal computers, printers and related components in accordance with the respective manufacturer's Ontario Public Sector Pricing Agreements with the Province of Ontario, commencing March 1, 1999 and up to December 31, 2000; and,
- (b) That JMG CompuSmart and their leasing partner, Leasing Solutions Inc., be approved to provide leasing services for desktop and notebook personal computers, printers, servers and related components up to December 31, 2000, at the base rate of \$26.11/\$1,000/month for a 36 month operating lease for Compaq Desktop, \$26.52/\$1,000/month for a 36 month operating lease for HP Desktop, and \$30.59/\$1,000/month for a 36 month capital lease, (the lowest of 13 proposals received); and,
- (c) That JMG CompuSmart and Leasing Solutions Inc. be permitted to adjust the leasing rate, subject to approval by the Treasurer, during the contract period in accordance with documented fluctuations in the yield of Government of Canada Bonds; and,
- (d) That decisions to acquire equipment via an operating, or capital lease, or purchase be made, in consultation with the Treasurer; and,
- (e) That the Mayor and the Municipal Clerk be authorized to execute the master lease agreement with Leasing Solutions Inc. and that the agreement be in a form satisfactory to the City of Hamilton Solicitor, the Treasurer and the Director of Information Technology Services (the City of Hamilton is the lessee); and,
- (f) That funding be provided from Account #CH56605-26032 (Workstation Leasing). The approximate annual leasing value for the City and Region is \$475,000.

4. City of Hamilton Property and Liability Insurance Coverage Extensions

- (a) That, based upon information and quotations received from Dalton Timmis Group, Inc., the City's insurance brokers, the City place all current insurance coverage for the term March 1, 1999 to November 1, 1999, at a total cost (including applicable tax and brokerage fee) of \$390,505.30, in accordance with the schedule attached herewith and marked Appendix "A"; and,

- (b) That the Mayor and Municipal Clerk be authorized and directed to execute all necessary documentation in a form satisfactory to the Corporate Counsel.

5. Attestation Document – Tobamark International

That the Municipal Clerk be authorized to execute an Attestation Document, confirming that the City of Hamilton is not known for involvement in tobacco product production, in connection with a trade mark application in Hong Kong by Tobamark International, in order that it may use the name "Hamilton".

6. Bill

That the following Bill be adopted, signed, sealed and enrolled as a Bylaw:

D-6 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

7. That in accordance with Section 247 of the Municipal Act, the Statement of the Treasurer (General Manager, Finance) summarizing remuneration and expenses paid to Members of Council and members of other bodies for the year 1998, attached herewith and marked Appendix "B", be received by City Council. **ADDED.**

Respectfully submitted,

**ALDERMAN D. O'SULLIVAN
ACTING CHAIRMAN
FINANCE AND ADMINISTRATION
COMMITTEE**

**Susan K. Reeder
Secretary
February 16, 1999**

URBAN MUNICIPAL

MAR 5 1999

February 23, 1999

Appendix "A" referred to in
Section 4 of the Fourth
Report of the Finance &
Administration Committee for
1999

APPENDIX "A"

Coverages to be provided through Dalton Timmis and the Frank Cowan Company

TYPE OF COVERAGE	LIMIT	DEDUCTIBLE	PREMIUM
(March 1/99 to Nov 1/99)			
Commercial General Liability			
Primary Layer	\$ 15,000,000	\$ 500,000	\$ 84,420.00
Second Excess Liability	\$ 10,000,000	\$ 10,000	\$ 2,678.00
Errors & Omissions Liability (Public Officials)	\$ 5,000,000	\$ 10,000	\$ 33,000.00
Automobile Fleet			\$ 89,127.00
Third Party Liability	\$ 10,000,000	\$ 100,000	
Dir. Comp/Prop. Dam.		\$ 100,000	
All Perils		\$ 250,000	
Garage Automobile	\$ 10,000,000		\$ 3,012.00
Legal Liability Limit	\$ 100,000		
Specified Perils	\$ 1,000,000	\$ 25,000	
Collapse & Vandalism	\$ 1,000,000	\$ 50,000	
Excess Liability			
Umbrella	\$ 5,000,000		\$ 3,427.00
Second Excess	\$ 10,000,000	\$ 10,000	\$ 2,678.00
Property	\$ 518,788,725	\$ 100,000	\$ 93,130.00
Boiler & Machinery	\$ 100,000,000	\$ 10,000	\$ 12,719.00
Crime	\$ 10,000,000	\$ 10,000	\$ 12,378.00
Directors & Officers (for H.E.C.F.I.)	\$ 3,000,000		\$ 4,773.00
Insured Person		\$ 1,000	
All Insured Persons		\$ 5,000	
Organization		\$ 15,000	
Accident (Keep Hamilton Clean)			\$ 694.00
Multi-Media	\$ 2,000,000		\$ 1,305.00
Total Premiums			\$ 343,341.00
Tax			\$ 24,558.30
Brokerage Fee (including tax)			\$ 22,606.00
Total Cost			<u>\$ 390,505.30</u>

City of Hamilton
Finance**ADDED.**Appendix "B" as referred to
in Section 7 of the FOURTH
Report of the Finance and
Administration Committee for 1999STATEMENT OF THE TREASURER (General Manager, Finance)
for the period ending December 31, 1998(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

1. REMUNERATION

(a)	Members of Council	Salary*
	Anderson, T.	\$ 20,800.41
	Caplan, M.	20,800.41
	Collins, C.	20,800.41
	Charters, R.	20,800.41
	Copps, G.	20,800.41
	Corsini, R.P.	20,800.41
	D'Amico, F.	20,800.41
	Eisenberger, F.	20,800.41
	Haining, D.C.	20,800.41
	Horwath, A.L.	20,800.41
	Jackson, T.	20,800.41
	Kelly, W.P.	20,800.41
	Kiss, M.	20,800.41
	Morelli, B.	20,800.41
	Morrow, R.	66,561.95
	O'Sullivan, P.M.	20,800.41
	Wilson, D.	<u>20,800.41</u>
		<u>\$399,368.51</u>

*One-third of these amounts deemed to be "Expenses" in accordance with
section 255 of the Municipal Act.

(b) Committee of Adjustment

Member-Honourarium

Dudzic, M.	\$ 2,600.00
Serwatuk, D.	2,100.00
Madden, D.	2,100.00
Silvestri, C.	2,100.00
Cutler, R.	<u>2,100.00</u>
	<u>\$11,000.00</u>

Member-Conference Expenses

Dudzic, M.	\$ 843.23
Silvestri, C.	<u>706.44</u>
	<u>\$1,549.67</u>

February 23, 1999

City of Hamilton
Finance

STATEMENT OF THE TREASURER (General Manager, Finance)
for the period ending December 31, 1998

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

(c) License Examining Board

Member	Honorarium
Allison, H.	\$ 700.00
Clothier, R.	500.00
Cooper, H.	1,100.00
Gibson, D.	500.00
Green, R.	500.00
Groves, L.	500.00
Hardie, D.	1,300.00
Holms, M.	900.00
Kaut, H.	1,000.00
Korz, G.	1,300.00
Langdon, D.	100.00
MacIntyre, D.	1,200.00
Penko, G.	900.00
Riley, M.	500.00
Taffs, R.	600.00
VanDerbeek, P.	1,650.00
Woodrow, B.	1,200.00
Warner, S.	<u>100.00</u>
	<u>\$14,550.00</u>

(d) Historical Board

Member	Honorarium
McCann, C.	\$369.17
Murkovich, M.	243.82
Newman, J.	125.14
Reiding, V.	<u>125.15</u>
	<u>\$863.28</u>

City of Hamilton
FinanceSTATEMENT OF THE TREASURER (General Manager, Finance)
for the period ending December 31, 1998(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

2. EXPENSES

(Residence telephone allowance, travelling and local grant to Mayor)

(a)	Members of Council	Amount
	Anderson, T.	\$ 280.14**
	Caplan, M.	5,187.25
	Charters, R.	6,377.37
	Collins, C.	2,025.95
	Copps, G.	nil
	Corsini, R.P.	280.14**
	D'Amico, F.	4,486.73
	Eisenberger, F.	280.14**
	Haining, D.C.	280.14**
	Horwath, A.L.	5,341.21
	Jackson, T.	280.14**
	Kelly, W.P.	5,116.86
	Kiss, M.	280.14**
	Morelli, B.	280.14**
	Morrow, R.	40,879.06
	O'Sullivan, P.M.	2,148.54
	Wilson, D.	<u>2,102.77</u>
		<u>\$75,626.72</u>

**telephone allowance only

(b) Public Library Appointees

Member – Travel and Conference Expenses

Davies, M.	\$ 405.07
Gravereaux, Ann	967.66
Rogers, P.	2,244.91
Dawna Petsche-Wark	<u>1,262.06</u>
	<u>\$4,879.70</u>

(c) H.E.C.F.I. Appointees

Member – Travel and Conference Expenses

Alderman T. Anderson	<u>\$1,113.27</u>
-	<u>\$1,113.27</u>

(d) Parking Authority AppointeesNil

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its **SECOND** Report for 1999 and respectfully recommends:

1. Garage A Licence Application – Carole Holloway – 1030 King Street East

That a "Conditional" Garage A Licence be issued to Carole Holloway, 1030 King Street East, Hamilton, Ontario – conditional upon the applicant complying with the requirement for a 3.0m planting strip by May 30, 1999.

2. Taxicab Priority List

That the application by Denise Georgian for reinstatement on the Taxicab Priority List be approved.

3. Cab Driver Licence Application – Guillermo A. Ventura

- (a) That the Cab Driver Licence application of Guillermo A. Ventura be granted for a one year probationary period; and,
- (b) That Guillermo A. Ventura provide the Issuer of Licences with an updated driving abstract on August 23, 1999.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. –1.

CARRIED.

4. Cab Driver Licence Application – Richard Collins

- (a) That the Cab Driver Licence application of Richard Collins be granted for a one year probationary period; and,
- (b) That Richard Collins provide the Issuer of Licences with an updated driving abstract on August 23, 1999.

5. Cab Driver Licence Application – Paul Dawson

That the Cab Driver Licence application of Paul Dawson be granted.

6. Cab Driver Licence Application – Joseph Rogers

That the Cab Driver Licence application of Joseph Rogers be granted for a six month probationary period.

7. Cab Driver Licence Application – John Sislian

That the Cab Driver Licence application of John Sislian be granted for a six month probationary period.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. –1.

CARRIED.

8. Cab Driver Licence Application – Steven Wolstenholme

That the Cab Driver Licence application of Steven Wolstenholme be granted for a six month probationary period.

Confidential background information provided to members of City Council under separate cover.

February 23, 1999

Respectfully Submitted,

**ALDERMAN F. EISENBERGER, CHAIRPERSON
CITY OF HAMILTON LICENSING COMMITTEE**

**Stella Glover, Secretary
February 10, 1999**

February 23, 1999

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

The Nominating Committee presents its **FIRST** Report for 1999 and respectfully recommends:

1. **Appointment of the Chairman of the Committee of the Whole**

That Alderman Frank D'Amico be appointed Chairman of the Committee of the Whole for the months of March, April and May, 1999.

Respectfully Submitted,

**MAYOR R. M. MORROW
CHAIRMAN
NOMINATING COMMITTEE**

**J. J. Schatz, Secretary
February 23, 1999
JJS/dg**

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton.

Members of Council

The Committee of the Whole presents its **THIRD** Report for 1999 and respectfully recommends:

1. Advanced Funding Program

- (a) That the fund allocation of the Advanced Funding Program for those priority groups which have operated Monte Carlos between January 1, 1996 and March 31, 1998 as indicated on Appendix A in the total amount of \$624,560 be approved;
- (b) That the fund allocation of the Advanced Funding Program for those non-profit organizations based on program and operational needs which meet the Provincial criteria for this program as indicated on Appendix B in the total amount of ~~\$457,553~~ be approved; **AMENDED.**
- (c) That the fund allocation of the Advanced Funding Program for those non-profit organizations based on Capital requests which meet the Provincial criteria for this program as indicated on Appendix C in the total amount of ~~\$108,500~~ be approved; **AMENDED.**
- (d) That the Ontario Lottery Corporation be advised of these allocations and receive the completed Advanced Funding Program roster along with supporting applications and documents with an understanding that this information completes the requirements of the City of Hamilton's involvement in this one-time program and that the Ontario Lottery Corporation will issue cheques directly to the organizations and any further monitoring or follow-up of the program is the responsibility of the Ontario Lottery Corporation.

Recorded vote as amended.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1.

CARRIED.

2. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

F-2: A By-law to Amend By-law No. 98-217 Respecting the Levying of Taxes for the Year 1998.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE**

J. J. Schatz
Municipal Clerk
February 23, 1999
JJS/dg

February 23, 1999

February 23, 1999

Appendix "A" - Revised
Advance Funding Applicants
Priority List (Organizations that conducted Monte Carlo Events)

No.	Organization	G.I.N.	Monte Carlo Revenue	Amount Requested	Specific Project	Revised Allocation	Previously Received City/Region Grant
1.	Big Brother Association of Burlington and Hamilton-Wentworth Inc.	BBC 1402	115,545.00 96 - 64,251.23 97 - 50,682.62 98 - 611.39	57,500.00	Direct costs incurred in the delivery of programs and services i.e. salaries, public relations, summer camp, youth programs	57,500.00	Region
2.	Blessed Sacrament Parish	BSR 0370	83,590.00 96 - 55,672.04 97 - 25,564.31 98 - 2,353.65	210,000.00	- Completing the building of the Parish Hall - Church maintenance, improvements and expansion	37,200.00	
3.	Canadian Orpheus Male Choir (Hamilton)	COA 0558	5,199.00 97 - 864.10 98 - 4,335.53	5,000.00	- Raising funds for local charities? - Promotion of concert for Children's Choir and Youth Orchestra	3,000.00	
4.	Canadian Red Cross Society	CRC 1112	6,942.00 96 - 3,620.00 97 - 3,322.00	35,000.00	- Injury Prevention - Emergency Services/Education - International services - workshops - Volunteer Resources	3,500.00	Region
5.	Conqueror II Drum & Bugle Corps.	CDA 0392	73,929.00 96 - 52,910.48 97 - 15,269.28 98 - 5,756.79	40,000.00	- Hamilton Santa Claus Parade/First Night - CHML's Tree of Hope - Tiger Cat Rally's and Half-time - Labour Day and Boy Scout Parade - Winter & Summer Show - Instruments, Practice Facilities	40,000.00	City
6.	Diverse Community Achievement Centre of Hamilton & Region Inc.	BYC 1652	63,884.00 96 - 35,864.20 97 - 22,997.60 98 - 5,022.40	40,000.00	- Tutorial Program - Mentorship/Teen Buddies Program - Culturally Appropriate Counselling Program - Summer Day Camp Program	28,400.00	City

Appendix "A" - Revised

Advance Funding Applicants

Priority List (Organizations that conducted Monte Carlo Events)

No.	Organization	G.I.N.	Monte Carlo Revenue	Amount Requested	Specific Project	Revised Allocation	Previously Received City/Region Grant
7.	Elizabeth Fry Society	EFC 0983	41,673.00 96 - 13,843.04 (3 months) 97 - 26,697.68 98 - 1,132.81	30,000.00	- S.T.A.R.S. program - V.O.V.A. program - Counselling, rehabilitation, education	30,000.00	Region
8.	Good Shepherd Centres	GSC 1408	46,991.00 96 - 35,729.95 97 - 13,614.15 98 - (2,353.08)	65,000.00	Food Program	20,900.00	Region
9.	Hamilton Health Sciences Foundation	CMH 0066	25,000.00	50,000.00	MRI Campaign	25,000.00	
10.	Hamilton Tartan Social Club	HTA 0470	78,707.00	75,000.00	Highland games	25,000.00	
11.	Hamilton Wrestling Club	HWS 1234	71,357.00 96 - 70,142.00 97 - 1,215.00	36,834.00	- Instructional clinics for athletes. - Qualified coaching - Enriched training camps for cadets and juniors	35,660.00	
12.	Hamilton-Wentworth Aquatic Club	HSW 1109	76,921.76 96 - 31,477.26 97 - 43,235.28 98 - 2,209.12	40,000.00	- Pool Rental - Swimmers Assistance	34,200.00	
13.	Hamilton-Wentworth Head Injury Family Support Group	HWH 0615	0* *conflict with organizer no funds received 1995 - 14,982.00	50,420.00	- Office administrative expenses - Research and education material/prevention program - Monthly newsletter - Monthly meetings - Promote awareness - Dissemination of information for financially challenged members - Weekly support group life skills programs - Caregiver group seminars - Spousal support group	15,000.00	

February 23, 1999

February 23, 1999

Appendix "A" - Revised

Advance Funding Applicants

Priority List (Organizations that conducted Monte Carlo Events)

No.	Organization	G.I.N.	Monte Carlo Revenue	Amount Requested	Specific Project	Revised Allocation	Previously Received City/Region Grant
14.	John Howard Society of Hamilton-Wentworth & District	JHC 0440	145,312.00 96 - 79,656.00 97 - 55,183.00 98 - 10,473.00	25,000.00	- Aggression Management and Parenting programs - Social Skill Development Programming	25,000.00	Region
15.	Kidney Foundation of Canada	KFH 0557	19,027.00 96 - 22,514.70 97 - (3,487.40)	20,000.00	- Local patient service, assistance and peer support programs - Transportation subsidies to and from dialysis treatments - Educational materials for new and current patients and their families	9,500.00	
16.	Le Club Richelieu Hamilton Inc.	CRG 0059	2,150.00 96 - 1,038.47 97 - 1,112.90	40,000.00	- Dishwasher and kitchen service wear - Toilet for handicapped - Elevator for handicapped - Outside storage and property fence - Photocopier and filing cabinets - Microphone and speakers	1,080.00	
17.	Neighbour to Neighbour Centre (Hamilton)	NIC 1589	7,621.00	7,600.00	Foodbank Operations.	7,600.00	Region
18.	Neuro-Oncology Foundation	NOH 0578	55,362.00 96 - 39,067.00 97 - 9,879.00 98 - 6,416.52	247,352.00	Stealth Station Treatment Guidance Platform - surgical equipment	24,600.00	

February 23, 1999

Appendix "A" - Revised

Advance Funding Applicants

Priority List (Organizations that conducted Monte Carlo Events)

No.	Organization	G.I.N.	Monte Carlo Revenue	Amount Requested	Specific Project	Revised Allocation	Previously/Received City/Region Grant City
19.	North End Children's Centre (Hamilton) Inc.	NEC 1715	15,825.00 96 - 15,599.30 97 - 226.34	150,000.00	- Children's programs - Parent programs - Facility Maintenance - Rainbow Festival - Toy lending Library	7,900.00	
20.	Sacred Heart Church	SHR 0247	45,081.00 96 - 34,457.49 97 - 7,698.05 98 - 2,925.87	120,000.00	Parish Centre Debt (Church Hall)	20,000.00	
21.	Steel City Sound Non-Profit Percussion & Dance Youth Ensemble	SCA 0552	13,894.00 97 - 8,442.47 98 - 5,451.53	75,000.00	- Purchase of cube van and trailer - Purchase of amplification equipment, horns, keyboards, uniforms and guard equipment - Insurance and transportation costs - Building fund for practice hall - Assist with costs for practice rent, cost of hosting a local contest	11,100.00	
22.	Theatre Aquarius Inc.	TAA 0 90	133,503.00 96 - 66,989.00 97 - 47,587.00 98 - 18,927.00	100,000.00	Programs: - Directors in Education - New Vision, New Voices - Seniors Outreach - Touring	100,000.00	Region

February 23, 1999

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Appendix "A" - Revised

Advance Funding Applicants

Priority List (Organizations that conducted Monte Carlo Events)

No.	Organization	G.I.N.	Monte Carlo Revenue	Amount Requested	Specific Project	Revised Allocation	Previously Received City/Region Grant
23.	Ukrainian Cultural Center of Hamilton	UCA 0490	113,534.00 96 - 62,214.15 97 - 43,876.16 98 - 7,443.90	62,214.00	- Cultivate Ukrainian-Canadian culture, organizing concerts, arts and exhibitions, lectures, school programs, theatrical shows and assisting new immigrants - To administer and finance the cultural centre property with the yearly budget - \$100,000	50,500.00	
24.	Ukrainian Youth Association of Canada	UYA 0524	22,218.00 96 - 62,214.15 97 - 12,130.19 98 - 1,581.03	36,000.00	- Regional contribution towards development of camp facilities - Send-a-Kid to Camp Program - Counsellor-in-Training camp - Visit to the capital of Canada - Conference for strategic planning and programming	9,900.00	
				TOTAL REQUESTED \$1,617,920.00		TOTAL REVISED \$624,560.00	

NOTE: Shaded proposed allocations identifies those organizations, which have submitted financial information that indicates a favourable financial position.

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Appendix "B" - Revised Other Advance Funding Applicants-Operating Funds

No.	Organization	Amount Requested	Specific Project	Revised Allocation	Previously Received City/Region Grant
1.	AboutFace - Hamilton Chapter	29,000.00	- Support & Information Program - School Program - Community Outreach	0	
2.	Alzheimer Society of Halton-Wentworth	39,000.00	Weekly therapeutic recreational programs for clients while their relatives participate in a weekly support group.	0	
3.	Ancient Church of the East	60,000.00	- Sunday Masses - Donations to cancer research - Renovations and all church expenses - Visiting our sick members in hospital - Priest's salary	0	
4.	B'Nai Brith Foundation District 22	63,150.00	- Food Basket Program - Blue Jay Day - Senior Citizens Phone Call Program - Hate-Line Hotline Program - Outreach Program for Police - Haatzmaout Celebration of Israel	0	
5.	Bereaved Families of Ontario - Hamilton Wentworth Burlington	20,000.00	- Outreach, Intake and Screening Program - Time Limited Support Groups - On-going Support Program - Facilitation Support Program - Bereavement Education and Support Program - Direct service delivery in the Big Sister/Little Sister matching program 1½ staff persons - Materials to enhance program - Building upgrades - Property work – repairs, etc.	10,000.00	Region
6.	Big Sister Youth Services Hamilton Inc.	30,000.00	Direct service delivery in the Big Sister/Little Sister matching program	30,000.00	Region
7.	Bold-Park Lodge Incorporated (Mary Ellis House)	50,000.00	- Materials to enhance program - Building upgrades - Property work – repairs, etc.	0	
8.	Bridge From Prison to Community (Hamilton)	10,000.00	- Rent for workshops - Start-up funds for new initiative with young offenders - Ongoing funding for self-help groups - Funding for discharge planning for inmates - Funding for new initiative on restorative justice	5,000.00	Region

February 23, 1999

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Appendix "B" - Revised

Other Advance Funding Applicants-Operating Funds

No.	Organization	Amount Requested	Specific Project	Revised Allocation	Previously
8.	Bruce Trail Association	25,000.00	- Land Stewardship - Trail maintenance and developments - Education and public relations - Membership, publications - Communications Newsletter - Purchase "life bus"	25,000.00	
10.	Canadian Blood Services	41,596.88	- Resource kits for dieticians - Medical and Public Awareness - Celiac Awareness - Year 2000 National Conference	0	
11.	Canadian Celiac Association Hamilton Chapter	89,925.00	- Pilot Project A or B - Job Documentation Skills, etc. 24-hour answering service - Data management support to maintain registry - Purchase of Prothrombin time monitors and cartridges - Travel costs for patients from outside of this area - Cost of accounts being audited - Cost of fundraising events - Education/public awareness - Benefit dance - Research	0	
12.	Canadian Charitable Assistance Organization	5,000.00	- Develop and implement diabetes prevention programs - Expand our non-english educational programs - Develop education workshops for health Professionals - In-house Exhibitions - Education Programs - Special Events	0	
13.	Canadian Children's Thrombophilia Society	50,000.00		0	
14.	Canadian Cystic Fibrosis Foundation - Hamilton Chapter	20,000.00		0	
15.	Canadian Diabetes Association Hamilton & District Branch	50,000.00		0	
16.	Canadian Football Hall of Fame and Museum	25,000.00		10,000.00	

February 23, 1999

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Appendix "B" - Revised

Other Advance Funding Applicants-Operating Funds

No.	Organization	Amount Requested	Specific Project	Revised Allocation	Previously Received City/Region Grant
17.	Canadian Hearing Society	5,000-25,000	- Financial Assistance Fund - Parent Outreach - Resource Library - Technical Device Lending Service - Home Safety Modification - SAGE Family Camp Program for survivors of domestic violence.	5,403.00	Region
18.	Catholic Youth Organization of the Diocese of Hamilton	25,000.00	- Summer salaries - Travel to summer festivals - Craft supplies - In-house materials for programmes - One position for 1 year in PASS or CAPSS programs.	4,000.00	Region
19.	Children's International Learning Centre	6,000.00	- Summer salaries - Travel to summer festivals - Craft supplies - In-house materials for programmes - One position for 1 year in PASS or CAPSS programs.	6,000.00	Region
20.	Community Adolescent Network of Hamilton	25,000.00	- Gym rentals - Swimming costs - Program costs - sports equipment and craft supplies - Administrative and part-time staff costs - Costs related to opening a new site	20,000.00	Region
21.	Community Skills Training for Children	25,000.00	- Gym rentals - Swimming costs - Program costs - sports equipment and craft supplies - Administrative and part-time staff costs - Costs related to opening a new site	20,000.00	Region
22.	Crime Stoppers of Hamilton-Wentworth Inc.	21,000.00	9,000 - Narcotics Detector Dog 12,000-Student Crime Stoppers Program - advertising, conference costs and reward money	0	
23.	Crohn's and Colitis Foundation of Canada	2,500.00	- furthering awareness - Education programs for patients, families and health professionals - Medical Research - Educational and Scholarships	0	
24.	English Speaking Union	2,000.00	- Office Equipment - Dance Competition Fees - Dance costumes for competition - Transportation, accommodations, meals for competitors	0	City
25.	Ensemble Dance Studio Competition Fund	15,000.00	- Office Equipment - Dance Competition Fees - Dance costumes for competition - Transportation, accommodations, meals for competitors	0	

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Appendix "B" - Revised

Other Advance Funding Applicants-Operating Funds

No.	Organization	Amount Requested	Specific Project	Revised Allocation	Previously Received City/Region Grant
26.	Epilepsy Hamilton-Wentworth & Burlington	9,300.00	• Education project • Materials • Epilepsy Awareness Month – seminars and workshops, etc. • Networking • Peer Networking/Buddy Program	0	
27.	Family Services of Hamilton-Wentworth Inc.	236,592.00	• Replace preschool van (33,000) • Deficity funding to prevent the need to reduce service levels	25,000.00	Region
28.	Friends in Grief Inc.	15,000.00	• Expansion of existing bereavement support group • establish a library resource centre • introduction of support group for early bereaved adults • continuation of post support group program	5,000.00	Region
29.	Greater Hamilton Symphony Association (Symphony Hamilton)	30,000.00	• Costs of full size symphony orchestra • Rental/purchase of music • Soloists fees • Advertising • Music Director • Office and storage facilities, etc.	20,000.00	City
30.	Hamilton & District Extend-A-Family	5,200.00	Wages for teen-pretteen Recreation Co-ordinator	2,000.00	City
31.	Hamilton & Region Arts Council	19,000.00	• Writers fees for bi-monthly publication • HARAC Arts Awards • Literary Workshops • Artist fees • Workshops	19,000.00	Region

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Appendix "B" - Revised

Other Advance Funding Applicants-Operating Funds

No.	Organization	Amount Requested	Specific Project	Revised Allocation	Previously Received City/Region Grant
32.	Hamilton Ballet Youth Ensemble	50,000.00	- Administrative secretary - Subsidize underprivileged and financially challenged children - Subsidize educational shows for local school boards - Expand sets and costumes - Office Equipment	40,000.00	Region/City
33.	Hamilton Children's Choir	5,000.00	Assist in financing tours in Ontario, Canada and Europe.	5,000.00	City
34.	Hamilton Folk Arts Heritage Council	15,000.00	- Employ secretary and/or office help - Updating of office equipment - Educating volunteer staff - workshops, etc. - Stage and equipment rental for the Ontario Youth Talent Search competition	10,000.00	City
35.	Hamilton Urban Core Community Health Centre (HUCCHC)	45,000.00	- Community kitchens for low income individuals - Before and after baby-perinatal care for moms "at risk" - Health promotion and education materials for outreach to marginalized groups - Staff for Resource room - Training and counselling - Equipment, computers, VCR's - Administrative expenses	30,000.00	Region
36.	Hamilton Wentworth Association for Children With Learning Disabilities	10,000.00	- Staff for Resource room - Training and counselling - Equipment, computers, VCR's - Administrative expenses	5,000.00	Region
37.	Hamilton Wentworth Creative Arts Inc.	25,000.00	- Festival of Friends - Earthsong Festival - Buskingfest - Big Band Showdowns - Expand audience base and tourism potential - Pay 1 part-time employee - For material to hand out to children at the schools.	25,000.00	Region
38.	Hamilton-Wentworth Regional Block Parent Program Inc.	5,000.00		5,000.00	Region

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Appendix "B" - Revised

Other Advance Funding Applicants-Operating Funds

No.	Organization	Amount Requested	Specific Project	Revised Allocation	Previously Received City/Region Grant
39.	Hamilton-Wentworth Stroke Recovery	22,515.00	- Administration and material costs - Expand programs for Living With Stroke and Spousal and Caregivers Programs	0	
40.	Hardequin Singers of Hamilton	13,000.00	Visit and entertain local rest homes, retirement homes and hospitals.	0	
41.	Huntington Society of Canada - Hamilton Chapter	12,991.00	- Services to HD families - Educational materials and research	0	
42.	International Co-operation of Children for Trees for Life Canada	9,000.00	"Grow-A-Tree" project in schools - Earth Day display	0	
43.	Junior Achievement of Hamilton/Wentworth	12,000.00	"Economics of Staying in School" program for Grade 8 students.	12,000.00	City
44.	Lupus Society of Hamilton	3,000.00	Research and education	0	
45.	Mountainview Residents for Recreation of Hamilton Inc.	10,000.00	Assist Parks Division on Neighbourhood Parks & Environmental projects	0	
46.	Ontario March of Dimes	156,100.00	- Life skills program - Volunteer program - Fundraising co-ordinator - Mentoring Program - Technical support program	0	
47.	Pastoral Counselling Centre (Hamilton-Wentworth)	30,000.00	- Provide 500 hours of counselling to those receiving GWA or FBA 4 Anger Management Group Therapy Courses	20,000.00	Region
48.	Path Employment Services	10,000.00	Workshops on internet training, self-esteem, speech craft and preparation for workplace.	0	
49.	Peter Pan Co-operative Preschool of Hamilton Inc.	3,000.00	- Photocopier for the school - Computer for the children - Children's toys	0	
50.	Phoenix Place: Stage II Housing for Victims of Domestic Violence	8,000.00	Tenant Services - utilities for clients (hydro and gas)	1,000.00	Region

February 23, 1999

February 23, 1999

Appendix "B" - Revised

Other Advance Funding Applicants-Operating Funds

No.	Organization	Amount Requested	Specific Project	Revised Allocation	Previously Received City/Region Grant
51.	Planned Parenthood Society of Hamilton	15,000.00	- Youth Program - Multicultural Program - Women's Midlife Health Planning - Educational programs	15,000.00	Region
52.	Royal Canadian Humane Association	10,000.00	Award medals and certificates for acts of bravery.	0	
53.	RP Research Foundation - Hamilton Chapter	20,000.00	Brochures, educational materials, Vision newsletter, public meetings, conferences		
54.	Scouts Canada - Hamilton Wentworth District	2,150.00	Leader recruitment, development and training and support targeting "at risk" communities.	2,150.00	Region
55.	Second Stage Services (Emergency Shelter Foundation)	10,000.00	Professional Counselling Subsidized housing for abused women and children	10,000.00	Region
56.	Senior Talent Bank	20,000.00	- Promotion of senior volunteering activities - Community outreach - Intergenerational volunteering opportunities	0	
57.	Settlement & Integration Services	50,000.00	- Multicultural and Multiracial Youth Outreach and Resource Centre - Support Group for immigrant and refugee women	25,000.00	Region
58.	Social Planning and Research Council of Hamilton-Wentworth	10,000.00	- Equipment for self-help centre - Support to self-help and community groups (i.e. photocopying, mailing, etc.)	10,000.00	Region
59.	Sunshine Foundation of Canada	38,500.00	Dreams of special children	0	
60.	T.E.A.D. Equestrian Association for the Disabled	10,240.00	Board and feed for 8 horses for 4 months (program for disabled)	5,000.00	Region
61.	Te Deum Concert Society Inc.	15,000.00	- Operating expenses - Musician fees	15,000.00	Region
62.	Tele-Touch (Seniors)	20,000.00	- Recruit and train 40 new volunteers - Advertise in newspapers - Postage - Produce and distribute pamphlets - Hire a consultant to evaluate program - Purchase a photocopy machine	20,000.00	Region
63.	The Dr. Bob Kemp Hospice Foundation Inc.	28,500.00	Volunteer program for terminally ill people.		

February 23, 1999

February 23, 1999

Appendix "B" - Revised

Other Advance Funding Applicants-Operating Funds

No.	Organization	Amount Requested	Specific Project	Revised Allocation	Previously Received City/Region Grant
64.	Trauma Prevention Council	6,000.00	CHAT - Community and Hospital Against Trauma - Injury prevention program for secondary school students	6,000.00	Region
65.	Volunteer Centre of Hamilton & District	50,000.00	- Youth volunteer needs & initiatives - Senior volunteer needs & initiatives - Special Needs - Diverse Cultures	25,000.00	City/Region
66.	Wellwood Resource Centre of Hamilton	25,000.00	Hiring an Executive Director	0	
67.	Women's Centre of Hamilton-Wentworth	11,000.00	- Information, referral and drop-in service - Support group and self-help group program	5,000.00	Region
68.	Zonta Club of Hamilton	12,000.00	Bursaries to McMaster University and Mohawk College.	0	
TOTAL REQUESTED 1,867,259.88			TOTAL REVISED 457,553.00		

NOTE:



Shaded proposed allocations identifies those organizations, which have submitted financial information that indicates a favourable financial position.

February 23, 1999

February 23, 1999

Appendix "C" - Revised Other Advance Funding Applicants-Capital Requests

No.	Organization	Amount Requested	Specific Project	Revised Allocation	Previously Received City/Region Grant
1	Armenian Community Centre (Hamilton)	20,000.00	- Memorial Lights for Driveway - Dishes and Cutlery for centre	20,000.00	
2	Art Gallery of Hamilton	70,500.00	Drywall, lighting, carpet, community gallery, upper & lower lounge	70,500.00	Region
3	Gordon Price Elementary School	35,000.00	Computers in the classroom	0	
4	Hamilton-Wentworth Green Venture	12,765.75	Cost of moving from Jackson Square to new location	6,000.00	
5	Heart and Stroke Foundation of Ontario	25,000.00	Research	0	
6	Jewish Congregation Anshe Shalom of Hamilton	10,000.00	- Remaining cost of replacing roof - Repainting of bricks	0	
7	Leander Boat Club of Hamilton	47,000.00	Rowing equipment - 2 rowing shells with oars for youth	10,000.00	
8	McMaster Children's Centre Inc.	14,677.00-16,677.00	- Playground safety surfacing - Wood to construct fence, repair climbers - Computer program, upgrade classroom computers - Office computer - Storage shed	0	
9	Panagia Greek-Canadian Community of Hamilton	400,000.00	Purchase of land to construct parking facility	5,000.00	
10	Participation House Hamilton & District	10,000.00-20,000.00	New wheelchair vans and/or upgrading & renovations of client's living quarters	0	
11	Players Guild of Hamilton Inc.	10,000.00	Renovation and refurbishment of theatre equipment (lighting) at headquarters	10,000.00	City
12	St. Atanasij Alexandrinski Macedonian Orthodox Church	300,000.00	Macedonian Community Centre	5,000.00	
13	St. Nicholas Ukrainian Catholic Parish	58,000.00	Repair steps, sidewalks, replace church roof	0	
14	Volunteer Association of Chedoke McMaster Hospitals	230,000.00	- Bed replacement program - Equipment HHSC Children's Hospital with TV's and VCR's - Ongoing recreation support and equipment	0	
	TOTAL REQUESTED	1,254,942.75	TOTAL REVISED	108,500.00	

Note: Shaded proposed allocations identifies those organizations, which have submitted financial information that indicates a favourable financial position.

February 23, 1999

March 9, 1999

Minutes of Hamilton City Council
Tuesday, March 9, 1999
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

There were present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, B. Morelli, D.
Haining, D. Wilson, G. Copps, C. Collins, F. Eisenberger,
T. Jackson, B. Charters, T. Anderson, B. Kelly, F.
D'Amico, D. O'Sullivan

Absent: Alderman R. Corsini - Illness

Mayor R. M. Morrow called the meeting to order.

Reverend H. Aasa, First Estonian Lutheran Church, led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented plaques to the following Hamilton Reps Major Peewee
AAA Team 1998-99:

Team

Keith Barker
David Brown
Sam Campbell
Michael Chrysler
Kyle Hagel
Mathew Higson
Adrian Kenderic
Greg Longe
Michael Ouzas
Drew Petkoff
Derek Prodeus
Brandon Roshko
Michael Szpiech
Jared Thompson
Chris Trdin
Brian Webster
Michael Whalen

Coaching Staff

Gary McFarlane
Brian Campbell
Scot Gordon
Ed Ward
Greg Ross
Jim Stevenson
Stephanie Higson

ADOPTION OF MINUTES

The minutes of the meeting held February 23, 1999 were adopted as circulated.

CORRESPONDENCE

1. Letter dated February 23, 1999 from Tania Bortolotto, Bortolotto Architect, respecting application for approval of a plan of subdivision "Parkway Manor".

Received.

2. Letter dated February 25, 1999 from 1272689 Ontario Corporation, Alwilayad Islamic Assoc., c/o Hussein Ghaddar, for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Detached) District for lots 1-8 and from "AA" (Agricultural) District to "R-4" – 'H' (Small Lot Single Family Detached) District – Holding for Block 9 for property at Rexford Dr. and Robertsfield Dr.

Received.

3. Letter dated March 8, 1999 from Anne Marsden, Co-founder of "The Advocates" respecting clearing of snow from commercial properties and plowing out of handicapped parking spaces in commercial properties.

Referred to Transport and Environment Committee

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman D'Amico in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – THIRD REPORT

Section 33 Re: Proposed Roadway Alteration of Delawana Drive

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –15.

NAYS: Alderman Copps. –1.

CARRIED.

Section 38 Re: Snow Clearing Charges – Commercial Properties

It was moved by Alderman Eisenberger and seconded by Alderman Caplan that Section 38 of the Third Report of the Transport and Environment Committee be referred back to the Transport and Environment Committee. **CARRIED.**

Section 39 Re: Vendor Program for Street Locations – Authority to Issue Request for Proposals

It was moved by Alderman Collins and seconded by Alderman Jackson that Section 39 of the Third Report of the Transport and Environment Committee be amended by deleting the words "Southeast corner – Bay and York Streets" at the end of Sub-section (b) and that this issue be referred back to the Transport and Environment Committee. **CARRIED.**

Re: Rule 9 – Signing of a Portion of Cannon Street – Bernie Faloney Way

It was moved by Alderman Morelli and seconded by Alderman Collins that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to consider a resolution respecting the signing of a portion of Cannon Street between Melrose and Balsam Streets. **CARRIED.**

Re: Signing of a Portion of Cannon Street – Bernie Faloney Way

It was moved by Alderman Morelli and seconded by Alderman Collins that the following be added as Section 41 of the Third Report of the Transport and Environment Committee for 1999:

- "41. That the portion of Cannon Street between Melrose and Balsam Streets be signed as "The Bernie Faloney Way."
CARRIED.

PARKS AND RECREATION COMMITTEE – THIRD REPORT

Section 1 Re: Delta Secondary School 75th Anniversary Back Campus Renewal Project

It was moved by Alderman Morelli and seconded by Alderman Wilson that Section 1 of the Third Report for 1999 of the Parks and Recreation Committee respecting Delta Secondary School 75th Anniversary Back Campus Renewal Project be deleted in its entirety, and the following inserted in lieu thereof:

"1. Delta Secondary School 75th Anniversary Back Campus Renewal Project

- (a) That the City contribute \$60,000 (\$50,000 towards development and \$10,000 for design services) to support the "Delta Secondary School 75th Anniversary Back Campus Renewal Project" at a gross estimated cost of \$500,000 for passive and recreational enhancement of this land; and,
- (b) That the Finance and Administration Committee recommend the method of financing."
CARRIED.

Section 2 Re: City of Toronto Bid to host the XXIX Summer Olympic Games

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –15.

NAYS: Alderman Copps. –1.

CARRIED.

Section 3 Re: Sale of Alcohol Beverages – Various Parks

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Charters, Anderson, Kelly, D'Amico, O'Sullivan. – 14.

NAYS: Alderman Jackson. –1.

CARRIED.

Section 4 Re: Fireworks Displays in Parks, Sale of Alcohol Beverages

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Charters, Anderson, Kelly, D'Amico, O'Sullivan. – 14.

NAYS: Alderman Jackson. –1.

CARRIED.

Section 7 Re: Hamilton Civic Golf Courses – 1999 Rates and Fees

Recorded vote on Sub-section (d).

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –13.

NAYS: Aldermen Collins, Eisenberger, Charters. –3.

CARRIED.

Section 9 Re: Royal Bank Aquafest 1999 – Bayfront Park, July 22-25, 1999

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Charters, Anderson, Kelly, D'Amico, O'Sullivan. – 14.

NAYS: Alderman Jackson. –1.

CARRIED.

Section 10 Re: Y95.3 Taste of Hamilton, Bayfront Park, June 24-27, 1999

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Charters, Anderson, Kelly, D'Amico, O'Sullivan. – 14.

NAYS: Alderman Jackson. –1.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – SIXTH REPORT

PLANNING AND DEVELOPMENT COMMITTEE – SEVENTH REPORT

FINANCE AND ADMINISTRATION COMMITTEE – FIFTH REPORT

Re: Rule No. 9 - Issuance of a "Conditional" Garage A Licence – 33 Parkdale Avenue South

It was moved by Alderman Eisenberger and seconded by Alderman Kelly that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the issuance of a "Conditional" Garage A Licence to Justin Stoicheci, 33 Parkdale Avenue South. **CARRIED.**

* * * * *

Re: Issuance of a "Conditional" Garage A Licence – 33 Parkdale Avenue South

It was moved by Alderman Eisenberger and seconded by Alderman Kelly that a "Conditional" Garage A Licence be issued to Justin Stoicheci, 33 Parkdale Avenue South, Hamilton, Ontario – conditional upon the applicant complying with the requirement for a 3.0m planting strip and visual barrier by May 30, 1999. **CARRIED.**

* * * * *

Re: Rule 9 – Hamilton Status of Women Committee

It was moved by Mayor Morrow and seconded by Alderman O'Sullivan that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the Hamilton Status of Women Committee.

CARRIED.

* * * * *

Re: Terms of Reference and Reporting Relationship for Hamilton Status of Women Committee

It was moved by Alderman Kiss and seconded by Alderman O'Sullivan that

- (a) That the reporting relationship of the Hamilton Status of Women Committee be changed from that of a Sub-Committee of the Finance and Administration to a Committee reporting to Council through the Mayor; and,
- (b) That Section 1 of the TENTH Report of the Legislation Committee for 1988 respecting the revised Guidelines of the Hamilton Status of Women Sub-Committee, as adopted by City Council on September 27, 1988, and as further amended by the Finance and Administration Committee at its meeting held December 6, 1990, be rescinded and replaced with a new Terms of Reference for the Hamilton Status of Women Committee, attached hereto and marked as Appendix "A".

It was subsequently moved by Alderman Horwath and seconded by Alderman O'Sullivan that the Terms of Reference for the Hamilton Status of Women Committee be amended by adding the following words "a selection sub-committee of" immediately after the words "Citizens will be selected by" and the word "past" immediately before the word "Chairperson" in the third line of Section 1 of the Committee Guidelines.

CARRIED AS AMENDED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

March 9, 1999

City Council then adjourned at 9:30 o'clock p.m.

*** * * * ***

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz
Municipal Clerk
March 9, 1999
JJS/bc**

LOGO

CITY OF HAMILTON

Appendix "A" as referred to
in a resolution respecting the
Terms of Reference for the
Hamilton Status of Women
Committee

STATUS OF WOMEN COMMITTEE

TERMS OF REFERENCE

MANDATE

That the Hamilton Status of Women Committee appointed by City Council, act as an advisory committee of Council, reporting through the Mayor to City Council, on matters pertaining to women and to provide input with respect to matters of municipal concern.

GOALS

- (a) Define, investigate, study and make recommendations to City Council on issues of concern affecting women of the City of Hamilton and other matters of social or municipal concern including matters referred to this Committee by City Council, staff and City of Hamilton Committees.
- (b) Inform citizens of the City of Hamilton on issues affecting women.
- (c) Actively encourage women to participate in all aspects of society and support them in their life choices.
- (d) Advise citizens of the City of Hamilton of decisions made by City Council which may impact on women including matters of social concern and those referred to City Council by this Committee.

PROCESS

- (a) Maintain ongoing procedures to ensure the fulfilment of our mandate.
- (b) Strategic planning at the beginning of each three (3) year term to set goals and strategies for the term.

COMMITTEE GUIDELINES

1. MEMBERSHIP

The Committee will be comprised of at least nine (9) citizens to a maximum of fifteen (15) citizens reflecting our diverse community plus two (2) elected members of City Council of which the Mayor shall be an Exofficio Member. Citizens will be selected by a selection subcommittee of the Status of Women Committee, consisting of the two aldermen, the past Chairperson and the Mayor and appointed by City Council. Candidates will be brought forward through the normal procedure of advertising for City of Hamilton committees.

2. QUORUM

Quorum will consist of 50% of the Committee members, plus (1) one, in good standing.

3. TENURE

Tenure on the Hamilton Status of Women Committee for a member in good standing will be for a three (3) year period to correspond to that of the elected municipal Council. The maximum length of an appointment will be two (2) appointments for a total of six (6) years, unless serving as the Chairperson in the sixth year (See 4.C.-Past Chair).

Member in good standing definition:

(a) Attendance

A member is expected to be an active member of the Committee of the Whole and on at least one Standing Committee.

If three (3) consecutive meetings in sequence are missed without exceptional reason, the Hamilton Status of Women Committee appointment shall be questioned by the Chairperson. If over 50% of meetings are missed without just cause (Committee and Standing Committee), the member would be expected to resign.

(b) Responsibility

The member must adhere to the Hamilton Status of Women Committee Terms of Reference.

4. **POSITION DESCRIPTIONS**

A. **CHAIRPERSON**

(i) To be elected for a term of one (1) year by the members of the Hamilton Status of Women Committee and her term will commence at the discretion of the committee.

(ii) To be an ex-officio member of all Standing Committees

(iii) To be the only person who officially speaks for the Hamilton Status of Women Committee in the community, unless another member is officially deputized to speak in the Chairperson's place.

(iv) In the absence of the Chairperson, the Vice-Chairperson will officially speak for the Hamilton Status of Women Committee and in the absence of the Chairperson and Vice-Chairperson, the Past Chairperson will officially speak for the Hamilton Status of Women Committee.

(v) Prepares the Agenda while working with the Committee's secretary and is responsible for the day-to-day business of the Committee.

B. **VICE-CHAIRPERSON**

(i) One (1) of the two (2) City Councillors appointed to the Committee will be elected for a one (1) year term to coincide with that of the Chairperson.

(ii) The Vice-Chairperson will be ready to deputize for the Chairperson and report to City Council.

C. **PAST CHAIRPERSON**

The Past Chairperson must be a member in good standing of the Committee (See 3.- Tenure).

D. STANDING COMMITTEE MEMBERS

Each Standing Committee Chairperson will be elected by that Standing Committee and will hold office for one (1) year, hold regular meetings and will report to the Status of Women Committee each month.

Each member is expected to be on one (1) of the existing Standing Committees which meets monthly except the Chairperson who is an ex-officio member on all Committees.

Standing Committees may extend their membership to include volunteer members from the community reflecting our diverse community who will be non-voting members. These members shall be approved by the Committee of the Whole.

Minutes will be presented to the Status of Women Committee of the Whole.

5. STANDING COMMITTEES

A. COMMUNITY OUTREACH AND AWARENESS

To provide information to the citizens of Hamilton on decisions made by the City of Hamilton which may have an impact on the status of women.

To establish close liaisons and networking with organizations whose objectives are to promote the status of women in Hamilton.

To facilitate the process whereby an open dialogue is encouraged with the community and the Hamilton Status of Women Committee.

Host and organize forums pertaining to a broad variety of issues.

Attend National Action Committee (NAC) Annual Convention on the Status of Women. (1 member).

B. ANNUAL WOMEN OF THE YEAR AWARDS

Plan and co-ordinate the Women of the Year Banquet including the selection of site, the selection of winners, the choice of awards including special recognition awards.

C. SOCIAL AND JUSTICE

To inform and advise Committee members on issues pertaining to the achievement of economic, social and legal equality for women.

Attend National Action Committee (NAC) Annual Convention on the Status of Women. (1 member).

D. WOMEN IN POLITICS

Host and organize workshops for women interested in becoming involved in politics.

Conduct All Candidates Debates for City Wards 1 through 5 and Mountain Wards 6 through 8.

Conduct All Candidates Debate for Public and Separate School Board Trustee Candidates of Wards 1 through 8 at City Hall.

E. HEALTH, SAFETY AND SECURITY

To inform and advise Committee members on issues pertaining to the achievement of health, safety and security issues for women in our community.

Standing Committees may meet at different times.

Approved as amended 1998 September 30

Final edit 1999 February 01

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **THIRD** Report for 1999 and respectfully recommends:

1. **No. 28 Case Street – Request to Remove a Reserved "Permit Parking" Space for a Disabled Resident**

That the existing "Permit Parking" regulation on the south side of Case Street commencing at a point 69 feet west of Ruth Street and extending to a point 24 feet westerly therefrom, and on the north side of Case Street commencing at a point 170 feet west of Ruth Street and extending to a point 23 feet westerly therefrom, be removed and that the City of Hamilton Traffic By-law 89-72 be amended accordingly.

2. **No. 16 Niagara Street – Request for a Reserved "Permit Parking" Space for a Disabled Resident**

- (a) That a "Permit Parking" regulation be implemented on the east side of Niagara Street commencing at a point 153 feet north of Munroe Street and extending to a point 20 feet northerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Muriel Clemons, 16 Niagara Street.

3. **No. 139 Albany Avenue – Request for a Reserved "Permit Parking" Space for a Disabled Resident**

- (a) That a "Permit Parking" regulation be implemented on the north side of Albany Avenue commencing at a point 242 feet east of Harmony Avenue and extending to a point 17 feet easterly therefrom, and that the City Traffic By-law 89-72 be amended accordingly; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Ann Keans, 139 Albany Avenue.

4. **No. 145 Ferrie Street East - Request for a Reserved "Permit Parking" Space for a Disabled Resident**
 - (a) That a "Permit Parking" regulation be implemented on the north side of Ferrie Street East commencing at a point 286 feet east of Mary Street and extending to a point 16 feet easterly therefrom; and that the City Traffic By-law 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. John Chaika, 145 Ferrie Street.
5. **No. 438 MacNab Street North - Request for a Reserved "Permit Parking" Space for a Disabled Resident**
 - (a) That a "Permit Parking" regulation be implemented on the east side of MacNab Street North commencing at a point 56 feet north of Macauley Street West and extending to a point 18 feet northerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Joan Carubba, 438 MacNab Street North.
6. **No. 103 Gertrude Street - Request for a Reserved "Permit Parking" Space for a Disabled Resident**
 - (a) That a "Permit Parking" regulation be implemented on the north side of Gertrude Street commencing at a point 78 feet east of Rowanwood Street and extending to a point 20 feet easterly therefrom, and that the City Traffic By-law 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Richard Keast, 103 Gertrude Street.
7. **No. 79 Royal Avenue - Request to Remove a Reserved "Permit Parking" Space for a Disabled Resident**

That the existing "Permit Parking" regulation on the south side of Royal Avenue commencing at a point 231 feet west of Emerson Street and extending to a point 24 feet westerly therefrom be removed, and that the City Traffic By-law 89-72 be amended accordingly.

8. **No. 308 Cope Street - Request for a Reserved "Permit Parking" Space for a Disabled Resident**

- (a) That a "Permit Parking" regulation be implemented on the east side of Cope Street commencing at a point 40 feet south of Barton Street East and extending to a point 19 feet southerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Beverly Lutz, 308 Cope Street.

9. **No. 204 Locke Street North - Request for a Reserved "Permit Parking" Space for a Disabled Resident**

- (a) That a "Permit Parking" regulation be implemented on the east side of Locke Street North commencing at a point 68 feet south of Barton Street West and extending to a point 24 feet southerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Melanee McAulay, 204 Locke Street North.

10. **Greenshire Drive between Stanlow Crescent and Glenayr Street – Parking Regulations**

That a full-time "No Parking" regulation be implemented on the south and east sides of Greenshire Drive commencing 135 feet south of Stanlow Crescent and extending to a point 119 feet southerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

11. **Parking Regulations on Albright Road and Harrisford Drive adjacent to St. Luke School**

- (a) That the existing "School Bus Loading Zone, 11:00 a.m. to 2:00 p.m., Monday to Friday" regulation on the east side of Harrisford Drive commencing at a point 165 feet south of Albright Road and extending 36 feet southerly be removed; and,
- (b) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Albright Road commencing at a point 175 feet east of Harrisford Drive and extending 67 feet easterly; and,

(c) That the City Traffic By-law 89-72 be amended accordingly.

12. Bay Street North between Strachan Street West and Barton Street West – Parking Regulations

That the existing "No Stopping, 4:00 p.m. to 6:00 p.m., Monday to Friday" regulation on the west side of Bay Street North between Strachan Street West and Barton Street West be removed, and that the City Traffic By-law 89-72 be amended accordingly.

13. North Side Redfern Avenue from Sanatorium Road to Jewel Street – Parking Regulations

That the existing by law entry providing for a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation on the north side of Redfern Avenue from Sanatorium Road to Jewel Street be revised such that the regulation is in effect from 8:00 a.m. to 8:00 p.m., Monday to Friday, and that the City of Hamilton Traffic By-law 89-72 be amended accordingly.

14. Herkimer Street, west of Locke Street South – Parking Regulations

That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Herkimer Street commencing 92 feet west of Locke Street South and extending to a point 403 feet westerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

15. Caroline Street North between King Street West and Hunter Street West – Parking Regulations

- (a) That two-hour parking meters be installed on the west side of Caroline Street North from King Street West to Main Street West and from 73 feet south of Main Street West to Hunter Street West; and,
- (b) That the "No Stopping, 4:00 p.m. to 6:00 p.m., Monday to Friday" (rush hour) regulation on the west side of Caroline Street North from King Street West to Hunter Street West be removed; and,
- (c) That the City Traffic By-law 89-72 be amended accordingly.

16. Parking Regulations on Lynbrook Drive and Rolston Drive adjacent to Westwood School

- (a) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of Rolston Drive commencing at a point 254 feet south of Miami Drive and extending 120 feet southerly be removed; and,
- (b) That the existing "Wheel Chair Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Lynbrook Drive commencing at a point 190 feet west of Rolston Drive and extending 25 feet westerly be removed; and,
- (c) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Lynbrook Drive commencing at a point 175 feet west of Rolston Drive and extending 40 feet westerly; and,
- (d) That the City Traffic By-law 89-72 be amended accordingly.

17. Parking Regulations on East 26th Street adjacent to Eastmount School

- (a) That the existing "Taxi Stand, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the east side of East 26th Street commencing at a point 207 feet north of Queensdale Avenue and extending 80 feet northerly be removed; and,
- (b) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of East 26th Street commencing at a point 284 feet north of Queensdale Avenue and extending 49 feet northerly; and,
- (c) That a "Wheel Chair Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of East 26th Street commencing at a point 157 feet north of Queensdale Avenue and extending 25 feet northerly; and,
- (d) That the City Traffic By-law 89-72 be amended accordingly.

18. Hughson Street North between Macauley Street East and Picton Street East, Parking Regulations

That the existing "Permit Parking" regulation on the west side of Hughson Street North commencing at Macauley Street East and extending to a point

212 feet southerly therefrom be removed, and that the City Traffic By-law 89-72 be amended accordingly.

19. South Side of Rebecca Street, east of Hughson Street North, Parking Regulations

That the first two metered parking spaces on the south side of Rebecca Street, east of Hughson Street North, be replaced with a full-time "No Parking" regulation commencing at Hughson Street North and extending to a point 80 feet easterly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

20. Intersection of Upper Wentworth St. and Vineburg Dr., Intersection Control

That eastbound and westbound traffic on Vineburg Drive be required to stop for northbound and southbound traffic on Upper Wentworth Street, and that the City Traffic By-law 89-72 be amended accordingly.

21. Intersection of Richmond Street and Hill Street, Intersection Control

That southbound traffic on Richmond Street be required to stop for eastbound and westbound traffic on Hill Street, and that the City Traffic By-law 89-72 be amended accordingly.

22. Intersection of Diconzo Drive and Torino Drive, Intersection Control

That southbound traffic on Torino Drive be required to stop for eastbound and westbound traffic on Diconzo Drive, and that the City Traffic By-law 89-72 be amended accordingly.

23. Amendments to By-laws 89-72, 89-75 and 89-73

That the general penalty provisions within the City of Hamilton Traffic By-laws 89-72, 89-75 and 89-73 be amended such that any person who contravenes any provision of these by-laws is guilty of an offence and is subject to a penalty as provided for under the *Provincial Offences Act*.

24. No. 10 Ferndale Avenue – Request for a Wheelchair Loading Zone

That a full-time "Wheelchair Loading Zone" regulation be implemented on the west side of Ferndale Avenue commencing at a point 110 feet south of Dunkirk Drive and extending to a point 28 feet southerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

25. No. 267 West 2nd Street – Request for a Wheelchair Loading Zone

That a "Wheelchair Loading Zone, 8:00 a.m. to 10:00 p.m., Monday to Friday" regulation be implemented on the east side of West 2nd Street commencing at a point 185 feet north of Wembley Road and extending to a point 28 feet northerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

26. No. 161 Berkindale Drive - Request for a Wheelchair Loading Zone

That a "Wheelchair Loading Zone, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the east side of Berkindale Drive commencing at a point 193 feet north of Bellamy Road and extending to a point 26 feet northerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

27. School Bus Loading Zone on Britannia Avenue adjacent to Holy Family School

That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Britannia Avenue commencing at a point 20 feet west of the west curb line of Alice Street and extending 70 feet westerly, and that the City Traffic By-law 89-72 be amended accordingly.

28. School Bus Loading Zone on Colcrest Street adjacent to St. Agnes School

That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Colcrest Street commencing at a point 118 feet east of the east curb line of Seabrooke Drive and extending 40 feet easterly be extended a further 58 feet easterly, and that the City Traffic By-law 89-72 be amended accordingly.

29. **No. 27 Mons Avenue, Request to Remove a "No Stopping, Wheelchair Loading Zone"**

That the existing "No Stopping, Wheelchair Loading Zone, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the north side of Mons Avenue, commencing at a point 48 feet east of Avondale Avenue and extending to a point 20 feet easterly therefrom, be removed, and that the City Traffic By-law 89-72 be amended accordingly.

30. **Brigade Drive at Byng Street, Corner Clearances**

That a "No Stopping" corner clearance be implemented on the north side of Brigade Drive commencing at a point 41 feet west of the west curb line of Byng Street and extending to a point 134 feet easterly, and that the City Traffic By-law 89-72 be amended accordingly.

31. **Appointment of Municipal Weed Inspectors**

- (a) That the Director of Legal Services and Corporate Counsel be authorized to draft the appropriate by-law, appointing Municipal Weed Inspectors under The Weed Control Act, to permit the appointment of the following 23 inspectors:

R. Aldridge	J. Dodman	D. Pierce
P. Booker	A. Dore	A. Polowy
R. Boutcher	R. Duckworth	J. Pook
J. Bovaird	C. Gibbs	S. Taylor
D. Boyer	R. Guenther	P. Tompkins
R. Campanella	C. Manning	J. Turner
S. Capostagno	J. McShane	R. Yanke
R. Del Conte	T. Perry	

- (b) That By-Law 95-057 be repealed.

32. **The Hess Village Pedestrian Mall Authority, Outdoor Boulevard Cafe Agreement and Encroachment Fee Formula**

- (a) That the Hess Village Pedestrian Mall Authority's proposed formula for an Outdoor Boulevard Café encroachment fee as follows, be approved:

$6/12$ of market value per square foot $\times 10\%$ = amount per square foot to be charged; and,

- (b) That the Hess Village Pedestrian Mall Authority's proposed Outdoor Boulevard Café Agreement, attached as Appendix "A", be approved.

33. Proposed Roadway Alteration of Delawana Drive, west of Centennial Parkway and Centennial Parkway, south of Delawana Drive

- (a) That the proposed alteration of Delawana Drive from approximately 70 meters west of Centennial Parkway to approximately 30 meters west of Fairington Crescent be advertised under Section 300 of the Municipal Act being Chapter M.45 of the Revised Statutes of Ontario 1990; and,
- (b) That the proposed alteration of Centennial Parkway from approximately 50 meters south of Delawana Drive to approximately 40 meters north of Vineyard Road be advertised under Section 300 of the Municipal Act being Chapter M.45 of the Revised Statutes of Ontario 1990; and,
- (c) That the necessary Road Alteration By-law be prepared by the Commissioner of Public Works and Traffic in a form satisfactory to the Municipal Solicitor and advertised by the Municipal Clerk; and,
- (d) That the Cadillac Fairview Corporation Limited be responsible for all costs relating to these roadway alterations on Centennial Parkway and Delawana Drive; and,
- (e) That the Cadillac Fairview Corporation Limited be required to enter into an appropriate agreement with the City of Hamilton for these road works in a form satisfactory to the Municipal Solicitor; and,
- (f) That the Cadillac Fairview Corporation Limited be advised of these actions.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Copps. -1.

CARRIED.

34. 1999 Servicing Expenditures Related to Subdivisions

- (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreements with the Owners for the estimated costs of services in

"CORNERSTONE ESTATES", Hamilton

City's share – NIL -, Owner's share \$ 202,501.49

"EFFORT GARDENS – PHASE 2", Hamilton

City's share \$ 53,793.37, Owner's share \$ 39,143.50

"TIFFANY – PHASE 3", Hamilton

City's Share \$ 56,927, Owner's Share \$ 418,085; and,

- (b) That the Mayor and Municipal Clerk be authorized and directed to execute the proposed Subdivision Agreements with the Owners of "Cornerstone Estates", "Effort Gardens – Phase 2" and "Tiffany – Phase 3", Hamilton as well as and any other related documents for these Subdivisions subject to the approval of the Director of Legal Services and Corporate Counsel; and,
- (c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,
- (d) In the event that the owner wishes to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered the owner should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing; and,
- (e) That the City's share of services in "Effort Gardens – Phase 2" (\$53,793.37) and "Tiffany – Phase 3" (\$56,927) be approved and that the Finance and Administration Committee recommend the source of funding.

35. City of Hamilton's "Flat Rate Fee" for Recovery of Servicing Costs Associated with 0.30 metre Reserves

- (a) That the City's "Flat Rate Fee" for recovery of outstanding municipal servicing costs associated with 0.30 metre reserves, be adjusted from the present rate of \$ 337.00 per metre of property frontage and/or

flankage to \$ 373 per metre of property frontage and/or flankage for 1999; and,

- (b) That the revised "Flat Rate Fee" be applied to all costs recovered in 1999 along 0.30 metre reserves after adoption of the proposed rate in sub-section (a) above.

36. Declaration of Surplus Property – 14 Cheever Street

- (a) That 14 Cheever Street, Car Park 46B be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law 95-049; and,
- (b) That the Real Estate Division be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law 95-049.

37. Declaration of Surplus Properties

- (a) That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with the Real Property Sales Procedural By-law 95-049:
 - (i) 573-575 York Boulevard; and,
 - (ii) North/south alleyway from Glenfern Avenue to Amelia Street, and east/west alleyway from the west limit of the north/south alleyway to approximately 41 feet east; and,
 - (iii) Unopened road allowance, Cathcart Street from Barton Street southerly to the existing chain link fence 38.5 metres north of Robert Street, 38.5 metres north of Robert Street and east/west alleyway, south of Barton Street from Cathcart Street easterly for 13.79 metres; and,
- (b) That the Real Estate Division be authorized and directed to sell these properties in accordance with the Real Property Sales Procedural By-law 95-049.

38. Snow Clearing Charges – Commercial Properties

- (a) That as per By-law 86-77, the Commissioner of Public Works and Traffic be authorized to clear snow from commercial properties 24 hours after a snowfall, regardless if it has started to snow again; and,

(b) That courtesy notices be given by the Department of Public Works and Traffic at the time of the event, or previous to the day, based on the history of the property. **REFERRED BACK.**

39. **Vendor Program for Street Locations – Authority to Issue Request for Proposals**

(a) That the Commissioner of Public Works and Traffic be authorized to finalize and issue a Request for Proposals to solicit vendor operators for approved locations based on a term of three years commencing 1999; and,

(b) That the following locations be approved for vendor operations:

One vendor at: Southwest corner – James Street and King Street West
Stelco Tower (north side of King Street West)
City Hall forecourt
Court House (between Hughson St. and John St. S.)
Northeast corner – King St. W. and Bay St. at Standard Life Building
Southeast corner – Bay and York Streets;
REFERRED BACK.
and,

(c) That a Review Committee comprised of the Commissioner of Public Works and Traffic (or designate), the Special Events Liaison Officer and Purchasing Division representative be authorized to receive and review submissions using evaluation criteria attached to this report and dated November 1998 and recommend vendor operators for consideration by the Transport and Environment Committee, exclusive of the HECFI/Copps Coliseum locations; and,

(d) That the General Manager, Finance, be requested to ensure that appropriate accounting procedures are in place for the program; and,

(e) That a draft agreement be prepared in a form satisfactory to the Director of Legal Services and Corporate Counsel for recommendation by the Review Committee.

40. **Bills**

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

March 9, 1999

- (a) A- 9 A By-law to amend Traffic By-law No. 89-72 to Regulate Traffic
- (b) A-10 A By-law to amend Traffic By-law No. 89-72 to Regulate Traffic
- (c) A-11 A By-law to Amend By-law No. 87-144 respecting Municipal Weed Inspectors
- (d) A-12 A By-law to Amend By-law No. 80-179 Respecting the Hess Street Village Pedestrian Mall

41. That a portion of Cannon Street between Melrose and Balsam Streets be signed as "The Bernie Faloney Way. **ADDED.**

Respectfully Submitted,

**ALDERMAN CHAD COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Carolyn Biggs
Acting Secretary
March 1, 1999**

March 9, 1999

Appendix "A" as referred to in
Section 32 of the Third Report
of the Transport and Environment
Committee for 1999

DATED:

THE HESS VILLAGE PEDESTRIAN MALL AUTHORITY

- and -

(insert name of applicant)

TWO PARTY

OUTDOOR BOULEVARD CAFE AGREEMENT

ADDRESS:

March 9, 1999

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THIS AGREEMENT made this day of , 19

BETWEEN:

THE HESS VILLAGE PEDESTRIAN MALL AUTHORITY

(hereinafter called "The Mall Authority")

OF THE FIRST PART

-and-

(insert name of applicant)

(hereinafter called "the Applicant")

OF THE SECOND PART

WHEREAS the Applicant is the registered owner or tenant/lessee of the property known municipally as (insert municipal address, Hamilton, Ontario) in The Hess Village Pedestrian Mall Authority, more particularly described in Schedule "A" attached hereto;

AND WHEREAS the Applicant carries on the business of a restaurant at the above address;

AND WHEREAS By-law 80-183 of the Corporation of The City of Hamilton entrusts to The Hess Village Pedestrian Mall Authority, the maintenance, control, operation and management of "The Hess Village Pedestrian Mall" and, states that no person shall use any part of the pedestrian mall or way for commercial or business purposes without first obtaining a permit from The Hess Village Pedestrian Mall Authority and, every applicant for a permit shall make an application in writing to the Authority on a form provided by the Authority and shall pay the Authority the rates prescribed by the Authority and approved of by the Council of The Corporation of the City of Hamilton.

NOW THEREFORE the parties hereto covenant and agree as follows:

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1. That the Applicant, being the registered owner or tenant/lessee of the premises known municipally as (insert municipal address, Hamilton, Ontario) may during the pleasure of The Hess Village Pedestrian Mall Authority, operate an outdoor boulevard cafe from April 1st to October 31st inclusive of each year on the lands being part of the road allowance (insert street name, Hamilton, Ontario) and may place and maintain the encroachment of:

(a) a boulevard cafe measuring (describe nature of encroachment)

(hereinafter referred to collectively as "the works") as shown on a sketch attached hereto as Schedule 'B', but so as not to interfere with the free and safe passage of persons and vehicles using the said road allowance.
2. This Agreement is subject to the rights of the Hess Village Pedestrian Mall Authority and the Corporation of the City of Hamilton and the Regional Municipality of Hamilton Wentworth to use the road allowance for their purposes as required.
3. All fees, costs and expenses due and payable by the Applicant to the Hess Village Pedestrian Mall Authority, or paid or incurred by the Hess Village Pedestrian Mall Authority under this Agreement, may in the event of default of such payment, be recovered by the Hess Village Pedestrian Mall Authority by distraint or lawsuit and the Hess Village Pedestrian Mall Authority may in addition, thereupon terminate this Agreement as provided in paragraph 11 herein.
4. The Applicant shall pay a first year fee of \$ _____ to the Hess Village Pedestrian Mall Authority. Payment will be made 50% by June 30 of the first year and 50% by September 30 of the first year.
5. The Applicant shall pay to the Hess Village Pedestrian Mall Authority a yearly fee every year during the currency of this Agreement the annual sum or fee of \$ _____ (representing 6/12 of the annual fee from April 1st to October 31st), or such sum or fee as may be determined by the Hess Village Pedestrian Mall Authority from time to time, through payments of 50% of the fee by June 30 and 50% of the fee by September 30.
6. The Applicant shall and does hereby at all times covenant to indemnify and save harmless the Hess Village Pedestrian Mall Authority and the Corporation of the City of Hamilton, from and against all actions, causes of action, interests, claims, demands, costs, damages, expenses, or loss howsoever arising which the Hess Village Pedestrian Mall Authority and/or the Corporation of the City of Hamilton, or either of them, may bear, suffer or be put to by reason of any damage to property, injury or death to any person as a result of the privilege herein allowed to the Applicant. At the time of the execution of this Agreement, the Applicant shall deliver to the

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Hess Village Pedestrian Mall Authority an endorsement from its commercial general liability insurance policy confirming that the Hess Village Pedestrian Mall Authority and the Corporation of the City of Hamilton have been named as additional insureds for third party bodily injury and property damage arising out of the granting of the privilege set out in this Agreement to a limit of not less than Three Million Dollars (\$3,000,000) or such other amount that may be required by the Hess Village Pedestrian Mall Authority from time to time. Or, if the Applicant is serving liquor, the insurance certificate shall also include Five Million Dollars (\$5,000,000) of coverage including liquor license liability insurance indemnifying the Hess Village Pedestrian Mall Authority and the Corporation of the City of Hamilton. This policy or policies shall include a cross-liability and waiver of subrogation clause in respect of each named insured and shall be kept in force by the Applicant during the term of this Agreement. Upon written request by the Hess Village Pedestrian Mall Authority, the Applicant shall forthwith deliver to the Hess Village Pedestrian Mall Authority endorsements for the aforesaid policy current for that year.

7. In no case whatsoever shall compensation be payable to the Applicant for improvements (if any) to the road allowance.
8.
 - (a) The Applicant shall at all times keep and maintain the works in a good and proper state of repair and safety.
 - (b) The Applicant shall remove all of their installations and cafe appurtenances related to the operation of the outdoor boulevard cafe from the road allowance during the period of November 1st to March 31st inclusive of each year and shall restore the road allowance to the satisfaction of the Hess Village Mall Authority.
9. Only the works herein authorized may be erected by the Applicant.
10. The design, construction and location of the said works shall be previously approved by the Hess Village Pedestrian Mall Authority and described in the Outdoor Boulevard Cafe Technical Design Specifications attached as Schedule 'C', and shall be erected and maintained in all respects by the Applicant to the approval of the Hess Village Pedestrian Mall Authority. The fact that the Hess Village Pedestrian Mall Authority shall have been satisfied with the design, location and construction shall in no way discharge or modify any liability or obligation of the Applicant that may arise from this Agreement.
11. If on the erection of the said works any act or thing shall be contrary to the order or direction of the Hess Village Pedestrian Mall Authority, or if any act or thing shall be done of which the Hess Village Pedestrian Mall Authority shall disapprove, or if in the opinion of the Hess Village Pedestrian Mall Authority the Applicant shall fail to maintain the said works in a safe condition, the Hess Village Pedestrian Mall

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Authority shall verbally or in writing require the Applicant to alter or repair the same, and if same shall not be altered or repaired within forty-eight (48) hours after such requirement, or if the Applicant shall neglect or refuse to remove the said works or thing within thirty (30) days after notice to remove the same shall have been delivered or posted as mentioned in paragraph 18 of this Agreement, then and in any such case the Hess Village Pedestrian Mall Authority may cause the required work to be done either by its own servants or by some other person, and the cost of any such work may be recovered by the Hess Village Pedestrian Mall Authority as set out in paragraph 3 of this Agreement.

12. This Agreement may be terminated at any time by the Hess Village Pedestrian Mall Authority or the Applicant for any reason after the delivery to the other of written notice of its intention to terminate at least thirty (30) days prior to such termination.
13. Notwithstanding paragraph 12 of this Agreement, this Agreement will immediately terminate upon the Applicant ceasing to be the registered owner or tenant/lessee of the premises described in paragraph 1 herein.
14. Within thirty (30) days of the delivery by the Applicant to the Hess Village Pedestrian Mall Authority of notice of its intention to terminate this Agreement or upon receipt of such notice from the Hess Village Pedestrian Mall Authority, the Applicant shall remove the said works and restore the part of the road allowance occupied by the works to a condition acceptable to the Hess Village Pedestrian Mall Authority.
15. The Applicant shall observe and comply with all parliamentary and legislative enactments and with all By-laws and regulations of the Hess Village Pedestrian Mall Authority and the Corporation of the City of Hamilton, and all notices, orders and demands given by the Hess Village Pedestrian Mall Authority through its Chairman respecting the subject lands and the works thereon.
16. This Agreement is subject to all rights now or that may hereafter be vested in the Hess Village Pedestrian Mall Authority and the Corporation of the City of Hamilton, or any gas, telephone, telegraph, electric light, or other utility company, in respect of the care and improvement of the streets, the construction, repair, replacement, or removal of sewers, watermains, culverts, drains, water or gas pipes or the placing of poles or wires (herein called "services") therein. The Hess Village Pedestrian Mall and the Corporation of the City of Hamilton expressly reserves to themselves the right to construct services or permit services to be constructed therein. The Applicant shall not be entitled to any damages by reason of the exercise of the Hess Village Pedestrian Mall Authority's or the Corporation of the City of Hamilton's

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rights contained in this paragraph and the Applicant shall, at his/her own expense, carry out such alteration of the works as the Chairman may direct.

17. No length of time or of enjoyment by the Applicant shall enure to give any right, title or interest to the Applicant or his successors in title, in the subject lands or to maintain the said works on, under, across or above, as the case may be, the said road allowance or shall deprive the Hess Village Pedestrian Mall Authority or the Corporation of the City of Hamilton by the operation of any limitation period or otherwise of any right to require the removal thereof and restoration of the road allowance.
18. Any notice to be given to the Hess Village Pedestrian Mall Authority shall be delivered or posted by prepaid registered mail addressed to:

The Hess Village Pedestrian Mall Authority
(insert The Mall Authority's address)

or such other addresses as may hereafter be assigned.

Any notice to be given to the Applicant shall be delivered or posted by prepaid registered mail addressed to the Applicant at:

(insert Applicant's address)

If any question arises as to whether any notice was or was not communicated by one party to the other, it shall be deemed to have been effectively communicated or given on the day delivered or on the fifth (5th) day after it was mailed, despite any strikes, lockouts or other disruption of mail service, whichever is the earlier.

19. If any provision of this Agreement shall become illegal or unenforceable in whole or in part, the remaining provisions shall nevertheless be valid, binding and subsisting.
20. This Agreement shall be governed by the laws of the Province of Ontario and the laws of Canada applicable therein, and shall be treated in all respects as an Ontario contract.

March 9, 1999

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SIGNED SEALED AND DELIVERED
in the presence of:

THE HESS VILLAGE PEDESTRIAN
MALL AUTHORITY

signature of witness

Chairperson

Vice-Chair

Date

print name & address of witness

Applicant:

Date

In the event that the applicant herein is the tenant of the property, the registered owner of the property shall consent to and agree to be bound by the provisions herein.

Signed, Sealed:

Registered Owner:

Date:

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **THIRD** Report for 1999 and respectfully recommends:

1. **Delta Secondary School 75th Anniversary Back Campus Renewal Project**

(b) That the City contribute \$60,000 (\$50,000 towards development and \$10,000 for design services) to support the "Delta Secondary School 75th Anniversary Back Campus Renewal Project" at a gross estimated cost of \$500,000 for passive and recreational enhancement of this land; and

(b) That the Finance and Administration Committee recommend the method of financing." **REPLACED.**

2. **City of Toronto Bid to host the XXIX Summer Olympic Games**

Whereas the Canadian Olympic Association at its regularly scheduled meeting held in Calgary on April 17, 1998 voted to grant approval to the City of Toronto's application to represent Canada's bid to host the 29th Olympiad in 2008 subject to the dictates of the International Olympic Committee Charter; and,

Whereas the City of Toronto Council on July 9 passed a motion to ratify the agreement between the Canadian Olympic Association and the City that detailed the terms required and outlined the mandate for the operation of TO-Bid, the organization authorized to present the Toronto bid for the Summer Olympic Games in 2008; and,

Whereas the Ontario Legislature on December 3, 1998 unanimously endorsed a Bill introduced by Morley Kells, the Ontario Olympic Commissioner, to support the City of Toronto's bid to host the 29th Summer Olympic Games and encourage participation by all of Ontario's communities in the bid proposal and subsequent presentation of the Olympiad; and,

Whereas the International Sports Federations representing the 140 athletic competitions and the IOC delegates who cast the deciding votes in 2001 will be influenced favourably by province-wide public support for the Toronto bid;

Now Therefore Be It Resolved that the Council of the City of Hamilton endorses the tenets of support called for by the Bill entitled: An Act to endorse the proposed bid of the City of Toronto to host the XXIX Summer Olympic Games, and further that this Council agrees with the principles of *"building a peaceful and better world by educating youth through sport practised without discrimination of any kind and in the Olympic spirit, which requires mutual understanding with a spirit of friendship, solidarity and fair play"* as described in the IOC Charter.

The Council further agrees to have this endorsement joined to that of other jurisdictions as a display of provincial solidarity behind this universally acclaimed undertaking.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Alderman Copps. -1.

CARRIED.

3. Sale of Alcohol Beverages – Various Parks

That approval, as required by the Parks By-law 95-126 as amended, Section 11, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to the following organizations to allow the sale of alcohol in the locations and on the dates specified:

- (a) Wentworth Adult Mixed Slo-Pitch League, May 28, 29 30, and July 24, 25, 1999, Turner Park; and,
- (b) Hamilton Oldtimers' Baseball Organization - August 14, 15, 1999, Mohawk Sports Park; and,
- (c) Hamilton District Slo-Pitch League - May 8, and August 14, 1999, Globe Park; and,
- (d) Hamilton Touch Football Assoc. - May 29, 30, 1999, Mohawk Sports Park; and,
- (e) Hamilton Regional Cancer Centre, July 23, 24, and 25, 1999, Globe Park; and,
- (f) Gourley Park Community Association, July 2, 3, 4, 1999 (Rain July 9, 10, 11), James MacDonald School Park; and,

- (g) Hamilton Wentworth Police Association - July 9, 10, 11, 1999, Turner Park; and,
- (h) ScotiaBank Slo-Pitch Tournament – September 18, 1999, Turner Park.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –14.

NAYS: Alderman Jackson. –1.

CARRIED.

4. Fireworks Displays in Parks, Sale of Alcohol Beverages

That approval, as required by Section 17 (1) and Section 26 of the Fireworks By-law 90-198 and Section 5 and Section 11 of Parks By-law 95-126 as amended, be given to the organizations as follows:

- (a) Kirkendall Recreation Association, Highland Gardens Park, May 24, 1999 (rain date: May 25, 1999); and,
- (b) Feast of St. Anthony's Celebrations, Ivor Wynne Stadium, June 13, 1999; and,
- (c) Communita Raculmutese Maria SS Del Monte, Bayfront Park, June 20, 1999; and,
- (d) City of Hamilton, General Manager – Community Services Division, July 1, 1999, Bayfront Park, Hamilton Harbour

to hold a Fireworks Display and serve alcoholic beverages on City Property on dates specified, subject to the Terms and Conditions of the Special Event Guidelines.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –14.

NAYS: Alderman Jackson. –1.

CARRIED.

5. **New Mum Show Sub-Committee - Amended Composition and Appointment of New Members**

- (a) That the composition of the New Mum Show Sub-Committee be amended from ten members (two Members of the Parks and Recreation Committee and eight citizen members) to nine members (3 members of the Parks and Recreation Committee and six citizen members); and,
- (b) That, notwithstanding Section 11(b)(ii) of the FIFTH Report of the Finance and Administration Committee for 1998 as adopted by City Council on February 10, 1998 requiring that all citizen member vacancies on City Committees be advertised, Judy and Richard Lockley be appointed to serve on the New Mum Show Sub-Committee for a term to expire November 30, 2000 to fill the citizen member vacancies on the Committee.

6. **Licence Renewal Agreement – Ontario Hydro, west side of Birch Avenue between Harvey and Huron Streets**

- (a) That the City of Hamilton enter into a Licence Renewal Agreement with Ontario Hydro to lease the lands on the west side of Birch Avenue between Huron and Harvey Streets for parks purposes; and,
- (b) That the Licence Renewal Agreement contain the following terms and conditions:
 - (i) Term - Commences October 1, 1994 and terminates September 30, 2004; and,
 - (ii) Rental Rate - \$1 per year plus any applicable taxes; and,
 - (iii) The City of Hamilton will assume all liabilities arising out of this recreational use; and,
 - (iv) The construction of any structures and installation of recreational facilities must be approved by Ontario Hydro prior to installation; and,
- (c) That the rental rate of \$1 per year plus and applicable taxes be charged to Account CH 5X921 00102 (Reserve for Property Purchases- Parks); and,

- (d) That the Mayor and Municipal Clerk be authorized and directed to execute a Licence Renewal Agreement in a form satisfactory to the Director of Legal Services and Corporate Counsel.

7. Hamilton Civic Golf Courses – 1999 Rates and Fees

- (a) That the 1999 Schedule for Rates and Fees for Hamilton Civic Golf Courses, appended hereto as Appendix "A", be approved; and,
- (b) That approval allow for implementation in advance of the current budget process to enable the preparation of marketing materials and administrative procedures in time for the opening of the 1999 golf season; and,
- (c) That new rate categories be established as follows:
- weekend green fee rate (Friday, Saturday, Sunday and Statutory Holidays)
 - twilight 9 hole rate; and,
- (d) That, in the event that the golf course revenues exceed the bottom line (all costs in) budget, any surplus be directed to the capital reserve fund established for golf course maintenance/repair.

Recorded vote on Sub-section (d).

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –13.

NAYS: Aldermen Collins, Eisenberger, Charters. –3. **CARRIED.**

8. International Children's Games Millennium Festival – Authorization for Chair/Designate and Volunteer Committee Chairman to Travel

- (a) That the Chairman of the Parks and Recreation Committee (or designate) and Mr. John Kiriakopolous, Chairman, International Children's Games Millennium Festival be authorized as per City Council Policy, to travel to Lausanne, Switzerland from March 21 to March 25, 1999 to meet with the Board of Directors of the International Children's Games and with officials of the travelling International Olympic Museum relative to the International Children's Games Millennium Festival, to be held in Hamilton, July 1 to July 8, 2000; and,

- (c) That expenses incurred relative to this delegation be charged to Account No. CH 24106 00001 – International Children's Games Millennium Festival.

9. Royal Bank Aquafest 1999 – Bayfront Park, July 22 to July 25, 1999

That approval as required by Parks By-law 95-126, Section 11, Section 29, Section 35 and Section 37 to sell alcoholic beverages, to bring animals in a park and to park vehicles in a park be given to the Regional Municipality of Hamilton Wentworth to use Bayfront Park to host the Royal Bank Aquafest, July 22 to July 25, 1999 from 9:00 o'clock a.m. to 11:00 o'clock p.m. subject to the Standard Terms and Conditions of the Special Event Guidelines including:

- (a) That the Alcohol and Gaming Commission of Ontario be advised that the Kinsmen Club will be applying for a Special Occasion Permit under community festival of municipal significance; and,
- (b) That the Royal Bank Aquafest organizers be granted permission to charge a \$5 unlimited admission fee ("Shore Pass") to a portion of Bayfront Park on specific dates; July 23, July 24 and July 25, 1999 and a \$5 parking fee according to the Special Events Guidelines; and,
- (c) That the Public Boat Ramp launch be closed to the public from July 24 to July, 25, 1999 inclusive to accommodate pedestrian safety and boat manoeuvring for the Lakeport International Hydroplane Regatta.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –14.

NAYS: Alderman Jackson. –1.

CARRIED.

10. Y95.3 Taste of Hamilton, Bayfront Park, June 24 to June 27, 1999

- (a) That approval, as required by Section 17 (1) and Section 26 of the Fireworks By-law 90-198 and Section 5, Section 11 and Section 29 of Parks By-law 95-126 as amended, be given to CJXY FM A Division of WIC Communications (Y95.3 FM) to sell alcoholic beverages, park vehicles and host fireworks display at the Y95 Taste of Hamilton event in Bayfront Park, June 24 to June 27, 1999 inclusive, and:

- (b) That an entrance fee of \$2 (for unlimited entrance) be permitted to be charged to participants to enter the enclosed festival grounds of the park over the duration of the event, and;
- (c) That a parking fee of \$5 be permitted to be charged to park vehicles in Bayfront Park, and;
- (d) That the above items are subject to the Terms and Conditions of the Special Events Guidelines.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Alderman Jackson. -1.

CARRIED.

11. Canada Day Celebrations, Sponsorship by McKeil Marine Limited

- (a) That the City accept, in accordance with the Corporate Donations Policy, a donation of \$10,000 by McKeil Marine Ltd., said funds to be used to enhance the 1999 Canada Day Fireworks Celebrations; and,
- (b) That, in recognition of this generous contribution and continuing services in kind, McKeil Marine Ltd. be recognized as a major sponsor of the 1999 Canada Day Celebrations and Fireworks display.

12. Hamilton Beach Project – Amendment to Purchase Agreement with HRCA regarding surplus MTO Properties

- (a) That with respect to the surplus MTO lands being acquired at no cost by the City from the Hamilton Region Conservation Authority as part of the Hamilton Beach Implementation project, the said lands be acquired subject to the following conditions specified by MTO:
 - (i) when the former MTO surplus lands are re-sold by the City, the City agrees that the net proceeds of such sales shall be deposited by the City with the Waterfront Regeneration Fund, and,
 - (ii) these proceeds deposited with the Fund are to be used by the City as the City's share of Hamilton Beach Waterfront Trail project costs, matching those project costs being funded in part by other deposits with the Waterfront Regeneration Fund; and,

March 9, 1999

- (b) That the Mayor and Municipal Clerk be authorized to execute the necessary documentation in a form satisfactory to the Director of Legal Services and Corporate Counsel.

13. **1999 User Fee Increases for Museum Admission and Programmes and Rental Fee Policy for the Hamilton Museum of Steam and Technology**

- (a) That the proposed increases to user fees including admissions and programmes for the Museums of the Culture and Recreation Department attached hereto as Appendix "B", be approved; and,
- (b) That the new Rental Fee Policy for the newly refurbished space in the Woodshed of the Hamilton Museum of Steam and Technology attached hereto as Appendix "C" be approved.

Respectfully Submitted,

**ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

**T. Agnello
Secretary
March 1, 1999**

HAMILTON CIVIC GOLF COURSES - 1999 PROPOSED RATES AND FEES SCHEDULE B

A. SEASONAL RATES:

CATEGORY Rates include GST	CHEDOKE BOTH		CHEDOKE MARTIN		CHEDOKE BEDDOE		KINGS FOREST		ALL COURSE	
	1998	1999	1998	1999	1998	1999	1998	1999	1998	1999
ADULT	\$1,050	\$1,102	\$645	\$677	\$900	\$945	\$1,050	\$1,102	\$1,150	\$1,265
ADULT NON- RESIDENT	\$1,150	\$1,265	\$745	\$820	\$1,000	\$1,100	\$1,150	\$1,265	\$1,250	\$1,500
COUPLES	\$2,000	\$2,100	\$1,190	\$1,250	\$1,700	\$1,785	\$2,000	\$2,100	\$2,200	\$2,310
COUPLES - NON RESIDENT	\$2,100	\$2,310	\$1,290	\$1,420	\$1,800	\$1,980	\$2,100	\$2,310	\$2,300	\$2,760
FAMILY	\$2,150	\$2,257	\$1,340	\$1,407	\$1,900	\$1,995	\$2,100	\$2,205	\$2,450	\$2,695
FAMILY - NON-RESIDENT	\$2,250	\$2,475	\$1,440	\$1,585	\$2,000	\$2,200	\$2,200	\$2,420	\$2,550	\$3,060
JUNIOR	\$250	\$300	\$150	\$200	N/A	N/A	\$250	\$300	\$350	\$400
JUNIOR -NON-RESIDENT	\$350	\$385	\$250	\$275	N/A	N/A	\$350	\$385	\$450	\$540
INTERMEDIATE	\$630	\$662	\$400	\$420	\$540	\$567	\$630	\$662	\$680	\$759
INTERMEDIATE NON-RESIDENT	\$730	\$803	\$500	\$550	\$640	\$705	\$730	\$805	\$790	\$948
PENSIONER (weekday)	\$735	\$740	\$430	\$435	\$630	\$635	\$735	\$740	\$805	\$845
PENSIONER - NON-RESIDENT	\$835	\$918	\$530	\$583	\$730	\$803	\$835	\$918	\$905	\$1,086
WEEKDAY	\$735	\$772	\$430	\$452	\$630	\$662	\$735	\$772	\$805	\$885
WEEKDAY - NON-RESIDENT	\$835	\$918	\$530	\$583	\$730	\$803	\$835	\$918	\$905	\$1,086
B. GREEN FEES										
WEEKDAY 18 HOLES	N/A	N/A	\$26	\$28	\$30	\$32	\$32	\$35	N/A	N/A
WEEKEND 18 HOLES (Fri, Sat, Sun & Stat. Hol.)	N/A	N/A	N/A	\$30	N/A	\$35	N/A	\$40	N/A	N/A
PENSIONER/JUNIOR*	N/A	N/A	\$19	\$21	\$23	\$25	\$25	\$28	N/A	N/A
TWILIGHT - 18 HOLES	N/A	N/A	\$17	\$19	\$21	\$23	\$23	\$25	N/A	N/A
TWILIGHT - 9 HOLES	N/A	N/A	N/A	\$10	N/A	\$12	N/A	\$13	N/A	N/A

SEASONAL NOTES:

- 5 day Pensioner - Mon-Fri excluding weekends & holidays.
- Intermediate Age: 20 years & under.
- Junior Age: 17 years & under.
- Junior members are subject to the following restricted playing times at all courses:
Mon-Fri, 10am - closing & Sat, Sun & holidays, 12pm to closing.
- Family rate criteria is: Two adults in a family relationship & dependents 20 & under of the same family.
- All seasonal passes include OGA/CLGA handicap/membership cards - Game fee \$20. extra.

GREEN FEE NOTES:

- * Monday-Friday only (Excluding holidays)
- Twilight hours both weekdays & weekends after 4:00 p.m. (twilight hrs. move ahead towards later part of the season.

SEASONAL RATES: PLAN "B"

	ADULT		COUPLES		FAMILY		JUNIOR		INTERMEDIATE		PENSIONER		WEEKDAY	
	1998	1999	1998	1999	1998	1999	1998	1999	1998	1999	1998	1999	1998	1999
Hamilton Residents - City Wide	\$350	\$368	\$650	\$683	\$1,050	\$1,103	\$100	\$105	\$200	\$210	\$250	\$263	\$250	\$263
Non Residents - City Wide	\$450	\$495	\$750	\$825	\$1,150	\$1,265	\$200	\$220	\$300	\$330	\$350	\$385	\$350	\$385

PLAN "B" NOTES:

- pay a reduced initial seasonal fee plus an outing fee each time you play.
- 7 or 5 day (5 day pass restricted from weekends & holidays).
- full seasonal privileges.
- Ideal for the once-a-week player
- outing fees (50% of green fees) dependent on course and time of play.

**Appendix "B" as referred to in
Section 13 (a) of the Third
Report of the Parks and
Recreation for 1999**

Note: GST is included in the fees listed below.

Proposed new fees appear in bold.

- i) That the current admission fees for The Hamilton Museum of Steam and Technology in general public and group tours categories be revised as outlined below effective 1 June 1999.

General Public/Casual Visitor Admission

This is the core function of museum operations, which offers universal access and provides community benefit – programmes offered during public hours.

<u>Category</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Adult	3.75	4.00
Senior	3.25	3.50
Student	2.75	3.00
Child (6 yrs. -14 yrs. inclusive)	2.25	2.50
Family	11.00	11.00
Child 5 yrs. of age and under free	Complimentary	Complimentary

Group tours/Community, Travel Trade

This category provides economic spin offs through tourism and additional revenues using museums as innovators of group travel.

Adult/senior	3.25	3.50
Student/Child	2.25	2.50

- ii) That the current admission fees for Dundurn Castle for special programmes be revised as outlined below effective immediately.

Special Programmes

Special events and programmes enhance the museum experience and help to build audiences.

	<u>Current Fee</u>	<u>Proposed Fee</u>
Christmas Evening Tours	12.00	15.00

**Appendix "C" as referred to in
Section 13 (b) of the Third
Report of the Parks and
Recreation Committee
for 1999**

THE HAMILTON MUSEUM OF STEAM AND TECHNOLOGY MULTI-PURPOSE ROOM RENTAL POLICY

The rental policy is in place to establish, in priority, the individual(s) or group(s) who has first option for rental; to establish rental rates and any applicable rental subsidies for eligible individual(s) or group(s); and to define deposit and refund criteria.

ROOM RENTAL PRIORITY:

- Museum Programming (including school groups and meetings of groups working in co-operation with museum)
- For profit private individuals, business, and corporations
- Not-for-profit groups and registered charitable organizations
- Other

ROOM CAPACITY:

60 people

ROOM RENTAL RATES:

Preamble:

- Rental rates are available during museum hours only. Rental rates do not include museum admission or any additional programme charges.
- Fee includes free parking, and the use of tables, chairs, coffee urn, sink, refrigerator or hot plates and microwave. . The client is responsible for setting up for function and tidying the room afterwards.
- Prepared food can be brought into the facility however food preparation cannot be accommodated on site.

Room Rental Rates:

- Private individuals, for profit, businesses, corporations - \$20/hr. (2 hr. minimum) \$18.69 + GST)
- Not for profit groups and registered charitable organizations - \$10/hr. (2 hr. minimum) (\$9.35 + GST)

- 2 -

MULTI-PURPOSE ROOM RENTAL SUBSIDY POLICY

100% SUBSIDY: The following individuals and groups will receive 100% subsidy for room rental:

- Museum programming (e.g. school tours community and public programming)
- Museum based partnerships or coalitions
- Divisional and departmental meetings
 - Hamilton Historical Board
 - Corporation of the City of Hamilton (committees and sub-committees)

50% SUBSIDY: The following individuals and groups will receive 50% subsidy for room rental:

- Not-for-profit and registered charitable organizations
- Other museums and arts organizations (non-divisional)

0% SUBSIDY: The following individuals and groups will receive 0% subsidy for room rental:

- Private individuals
- For profit businesses and corporations
- Any not-for-profit organizations using the facility "for profit" activities excluding Golden Horseshoe Live Steamers, Hamilton Model Engineering Club, Confederation Marine Modellers

REFUND POLICY

1. Full refund if function is cancelled thirty (30) days from date of function.
2. 50% refund if function is cancelled fifteen to twenty-nine (15-29) days from date of function.
3. 25% refund if function is cancelled six to fourteen (6-14) days prior to function.
4. No refund if function is cancelled on the day of the function or up to six days (6) prior to the function. **Please note: Museum admission cancellation fee is separate from this Policy.**

DEPOSIT POLICY

1. A deposit of 50% of the projected rental cost is required at the time of booking or sixty (60) days (whichever is less) prior to the function.

- 3 -

**RENTAL OF MULTI-PURPOSE ROOM
TERMS AND CONDITIONS**

Application for use of the Woodshed room be completed on form provided.

The time and date requested, and noted on the permit, must include the time required for set-up and clean up. The applicant must adhere to the times that they have reserved.

Tables, chairs and a refrigerator are provided. Any other equipment desired is the responsibility of the applicant.

The setting up and putting away of equipment is the responsibility of the applicant and the Woodshed room must be left in a clean manner.

Any costs incurred as a result of damage to the facility or its equipment during permitted time must be assumed by the applicant.

PLEASE DO NOT APPLY TAPE TO WALLS OR TRIM (ask museum staff for material to adhere decorations to walls and trim).

This is a non-smoking facility. No alcoholic beverages are permitted on the premises.

Other: _____

Name of Organization / and/or Person(s) in Charge

Address: _____

Phone #: _____ Date: _____

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SIXTH** Report for 1999 and respectfully recommends:

1. ZA 98-30 – 1605 Upper Sherman Avenue

That the Official Plan Amendment Application, for a redesignation from "Residential" to "Commercial", and Zoning Application ZAC-98-30, Paletta International Corporation, owner, for a change in zoning from "AA" (Agricultural) District (Block "1") and "C" (Urban Protected Residential, etc.) District (Block "2") to "G-1" (Designed Shopping Centre) District, for lands located at 1605 Upper Sherman Avenue, as shown on the attached map as Appendix "A", be denied for the following reasons:

- (a) It conflicts with the intent of the approved Eleanor Neighbourhood Plan, and would jeopardize the approved development pattern, negatively impact on access to the Neighbourhood and the internal roadway pattern, and compromise the orderly development of the Neighbourhood at this location; and,
- (b) There is no demonstrated need for additional commercial development in this area without impacting on the approved Neighbourhood Plan; and,
- (c) There is an adequate supply of existing zoned and/or designated commercial lands in this area to meet the needs of existing and future residents; and,
- (d) It represents an undesirable extension of commercial development into a residential area; and,
- (e) The application is premature in the absence of a Neighbourhood Plan review.

**2. CDM-CONV-98-015 – 1211-1215 Fennell Avenue East and
136-146 Princeton Drive**

- (a) That approval be granted to application CDM-CONV-98-015 (Regional File 25CDM-98023) submitted by Ronald Wowk, owner, for a draft plan

of condominium for property located at Nos.1211-1215 Fennell Avenue East and 136-146 Princeton Drive, as shown on the attached map marked as Appendix "B", to provide for a condominium comprised of 9 individual townhouse condominium units, subject to the following conditions:

- (i) That this approval applies to the draft plan dated November 12, 1998, attached as Appendix "C", prepared by Consoli and Jacobs Surveying Ltd.; and,
- (ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to the Director of Legal Services and Corporate Counsel; and,
- (iii) That prior to approval of the final plan:
 - (1) property taxes shall be in good standing, plan of condominium shall conform with General Zoning By-law No. 6593 and the Official Plan, and,
 - (2) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593; and,
- (b) That the Municipal Clerk be directed to advise the Director of the Development Division of the Regional Environment Department of Council's decision.

3. Downtown Hamilton B.I.A. – Revised Board of Management

- (a) That Schedule 'B' of By-law No. 86-73, as amended, appointing the Downtown Hamilton B.I.A.'s Board of Management, be repealed and the following names substituted:

SCHEDULE 'B'

K. Findlay	F. D. Findlay Clothier
A. Peckham	Royal Bank
A. Herpers	Herpers Gowling
R. Harris	Harris and Henderson

J. Livingston	Livingston Furs
R. Titian	Reggie's Music and Sound
K. Wiegand	Right House
R. Sorenson	Sundried Tomatoes
M. McNally	Jeset Investments
R. Letourneau	Just Imagine Printing
D. Brocker	Royal Connaught Hotel
R. Ianuzzi	Canadian Imperial Bank of Commerce
N. Godwin	Nancy Godwin, Barrister & Solicitor
D. Blanchard	Hughson Business Space Corporation
D. Lugowy	Dennis Lugowy, Chartered Accountant

- (b) That the Director of Legal Services and Corporate Counsel, be directed to amend Schedule 'B' of By-law No. 86-73 pursuant to (a) above.

4. Concession Street B.I.A. – Proposed Budget and Schedule of 1999 Payments

- (a) That the 1999 operating budget for the Concession Street B.I.A., attached hereto as Appendix "D", be approved in the amount of \$12,250; and,
- (b) That the General Manager of Finance, be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 1999 budget as referenced in (a) above: and,
- (c) That the following schedule of payments for 1999 be approved:

March 01	\$6,000.00
June 01	\$6,250.00

Note: 1998 assessment appeals may be deducted from the 1999 levy payments.

5. Proposed Niagara Escarpment Plan Amendment – Home Based Businesses

That the City of Hamilton inform the Region of Hamilton-Wentworth, the City does not object to the proposed amendment to the Niagara Escarpment Plan respecting home based business.

6. **Authorization for Staff Attendance at OMB Hearing – 1534 Barton Street East**

That the appropriate staff (e.g. Law and Planning and Development Departments) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-98-202, respecting property located at No. 1534 Barton Street East, as shown on the attached map marked as Appendix "E".

7. **Request for Extension from Exemption from Part-Lot Control-"Claudette Gardens, Phase 9" Subdivision**

- (a) That approval be given to the request by A. DiSilvestro, Solicitor for 800064 Ontario Inc. (A. DiSilvestro), Owner, for a 1 year extension from part lot control for the purposes of establishing maintenance easements for Lots 15, 17 – 22, inclusive, 25, 26, 27 30 and 31, Registered Plan 62M-825, "Claudette Gardens, Phase 9", known municipally as 3, 7, 19, 23, 27, 39, 43, 47, 51, 55, 59, and 67 Claudette Gate, as shown on the attached map marked as Appendix "F"; and,
- (b) That the appropriate By-law, to remove part lot control from Lots 15, 17 – 22, inclusive, 25, 26, 27, 30 and 31, Registered Plan 62M-825, "Claudette Gardens, Phase 9", be enacted by Council and that the exempting by-law be restricted to a 1 year effective time period to expire on April 1, 2000.

8. **Bills**

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-10 A By-law to Extend By-law No. 98-087 Respecting Land Within the "Claudette Gate, Phase 9" Subdivision, Plan 62M-825 from Part Lot Control.
- (b) C-11 A By-law to Remove Land Within the "Eagleview Estates, Phase 1" Subdivision, Plan 62M-829 from Part Lot Control.

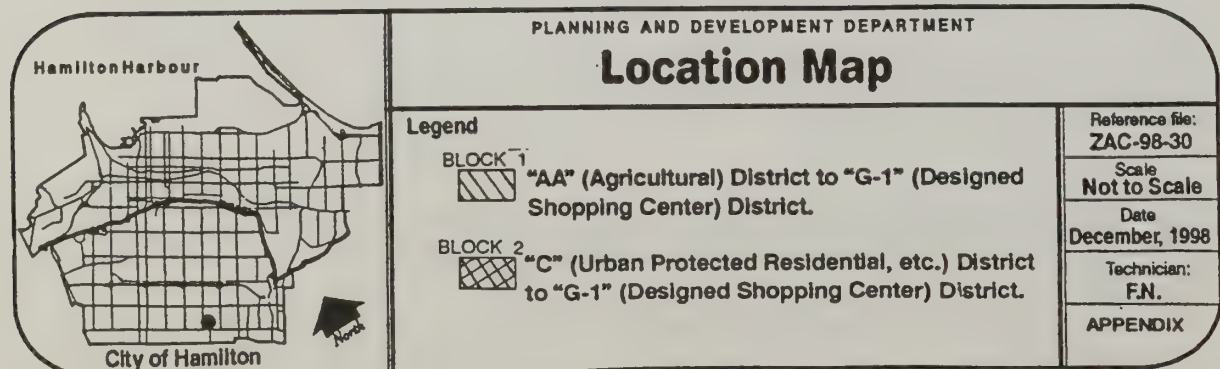
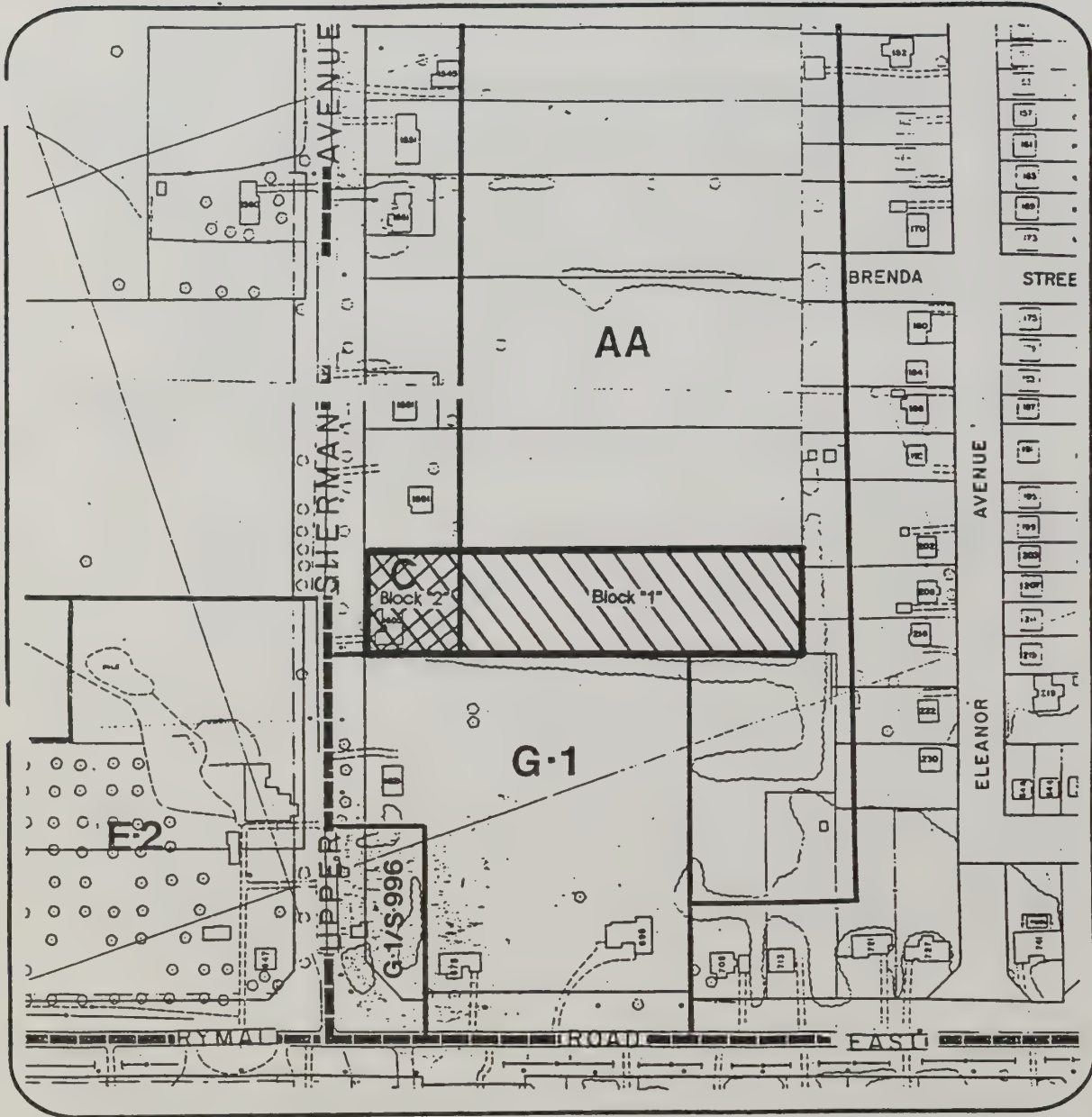
March 9, 1999

- (c) C-12 A By-law to Amend By-law No. 86-144 as Amended by By-laws No. 95-047 and 98-048 Respecting Members of the Board of Management of the Concession Street Business Improvement Area.
- (d) C-13 A By-law to Amend By-law No. 87-308 as Amended by By-laws No. 92-079 and 99-019 Respecting Members of the Board of Management of the Barton Village Business Improvement Area.

Respectfully submitted,

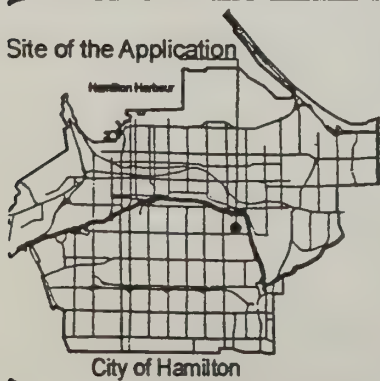
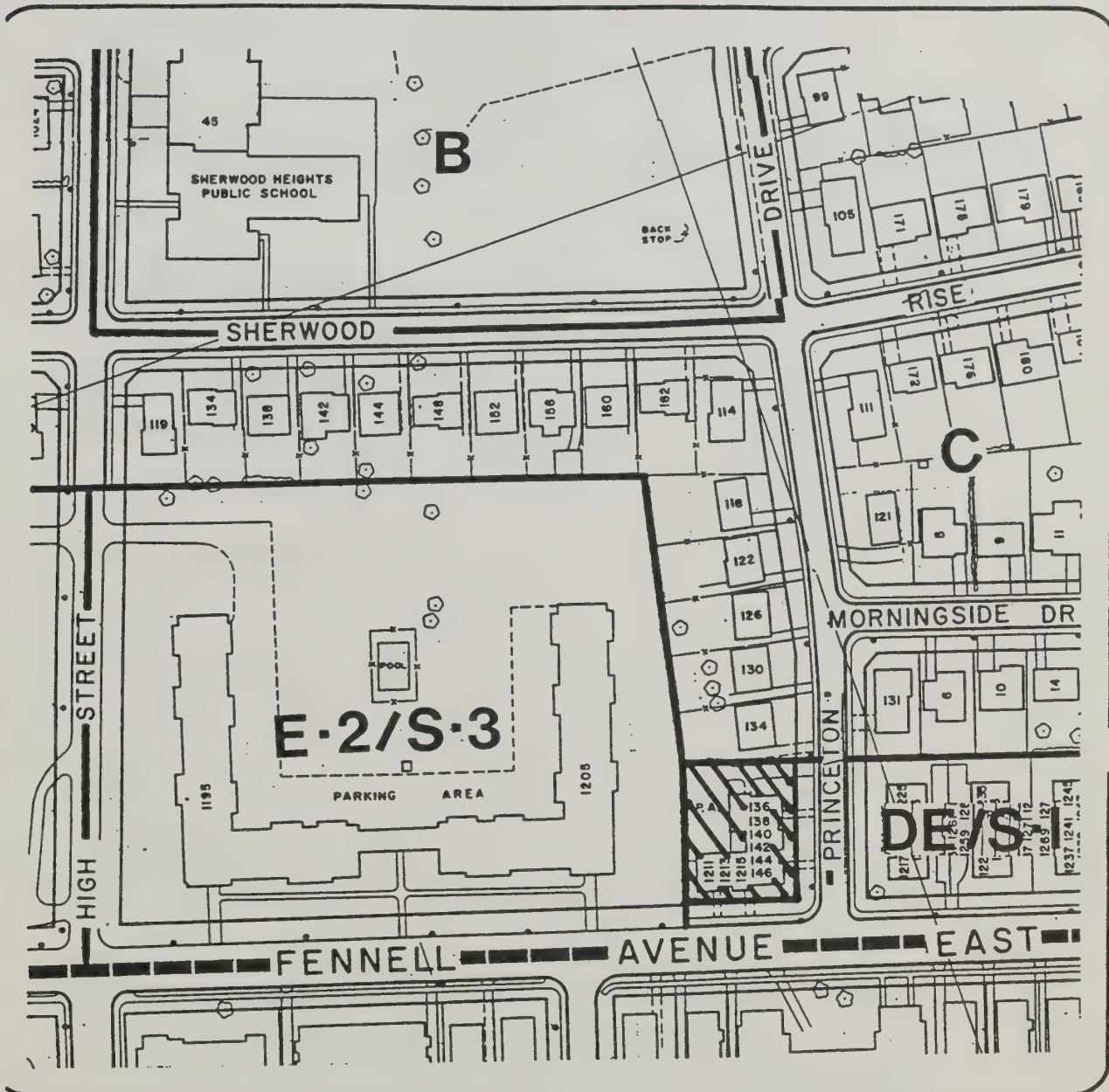
**ALDERMAN F. D'AMICO
PLANNING AND DEVELOPMENT
COMMITTEE**

**Tina Agnello, Secretary
March 3, 1999**



March 9, 1999

Appendix "B" referred to in Section
2(a) of the **SIXTH** Report of the
Planning and Development
Committee for 1999



PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend



Site of the Application

Reference file:

CDM-CONV-88015

Scale

Not to Scale

Date

January, 1999

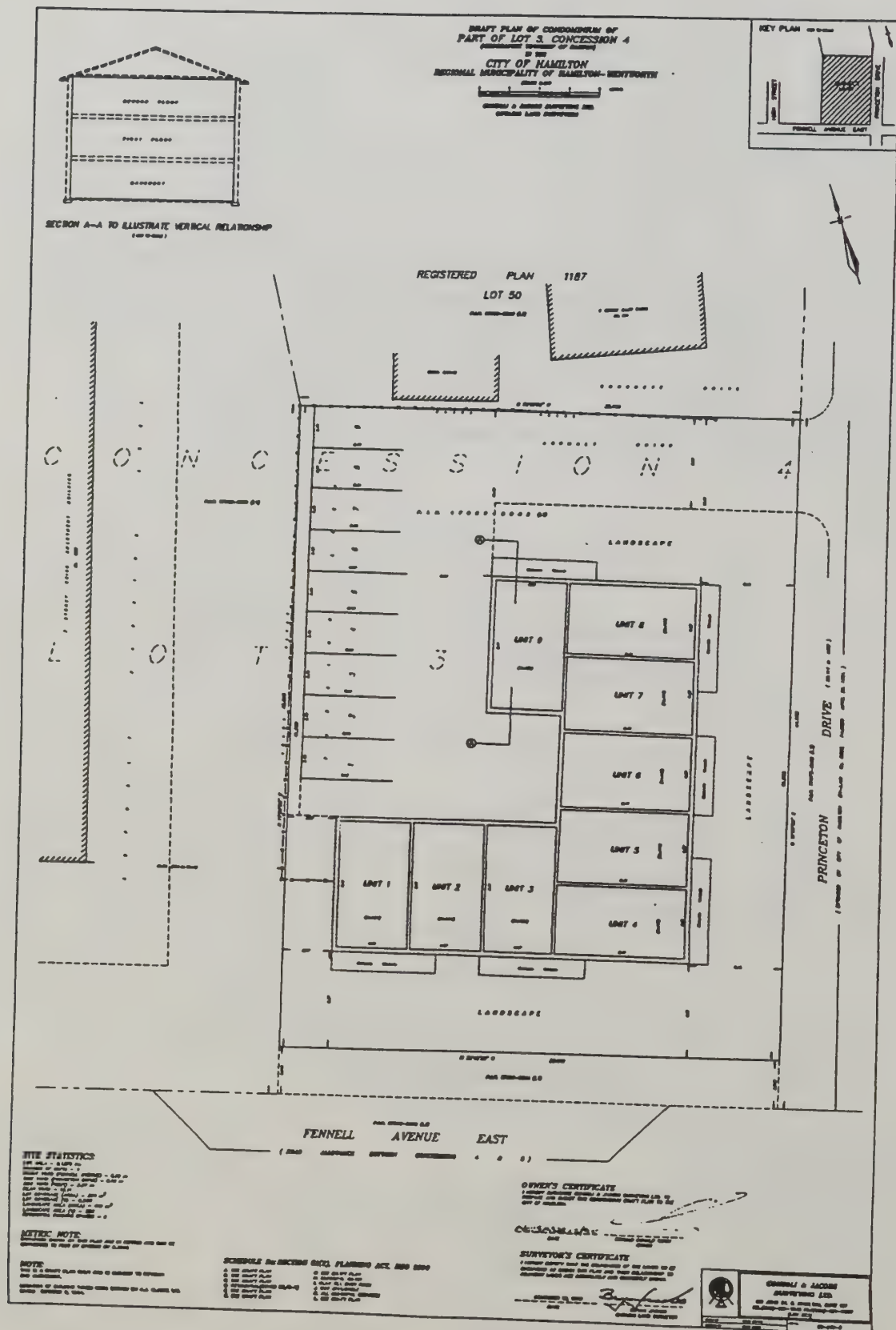
Technician

B. B.



March 9, 1999

Appendix "C" referred to in Section 2(a)(i) of the SIXTH Report of the Planning and Development Committee for 1999



March 9, 1999

Appendix "D" referred to in Section
4(a) of the **SIXTH** Report of the
Planning and Development
Committee for 1999

CONCESSION STREET B.I.A. PROPOSED BUDGET FOR 1999

ADVERTISING AND PROMOTION

Installation and storage of Christmas Decorations	\$3,000.
Hydro-Christmas Lights	\$ 850.
Advertising and Promotion and Newsletter	\$6,600.

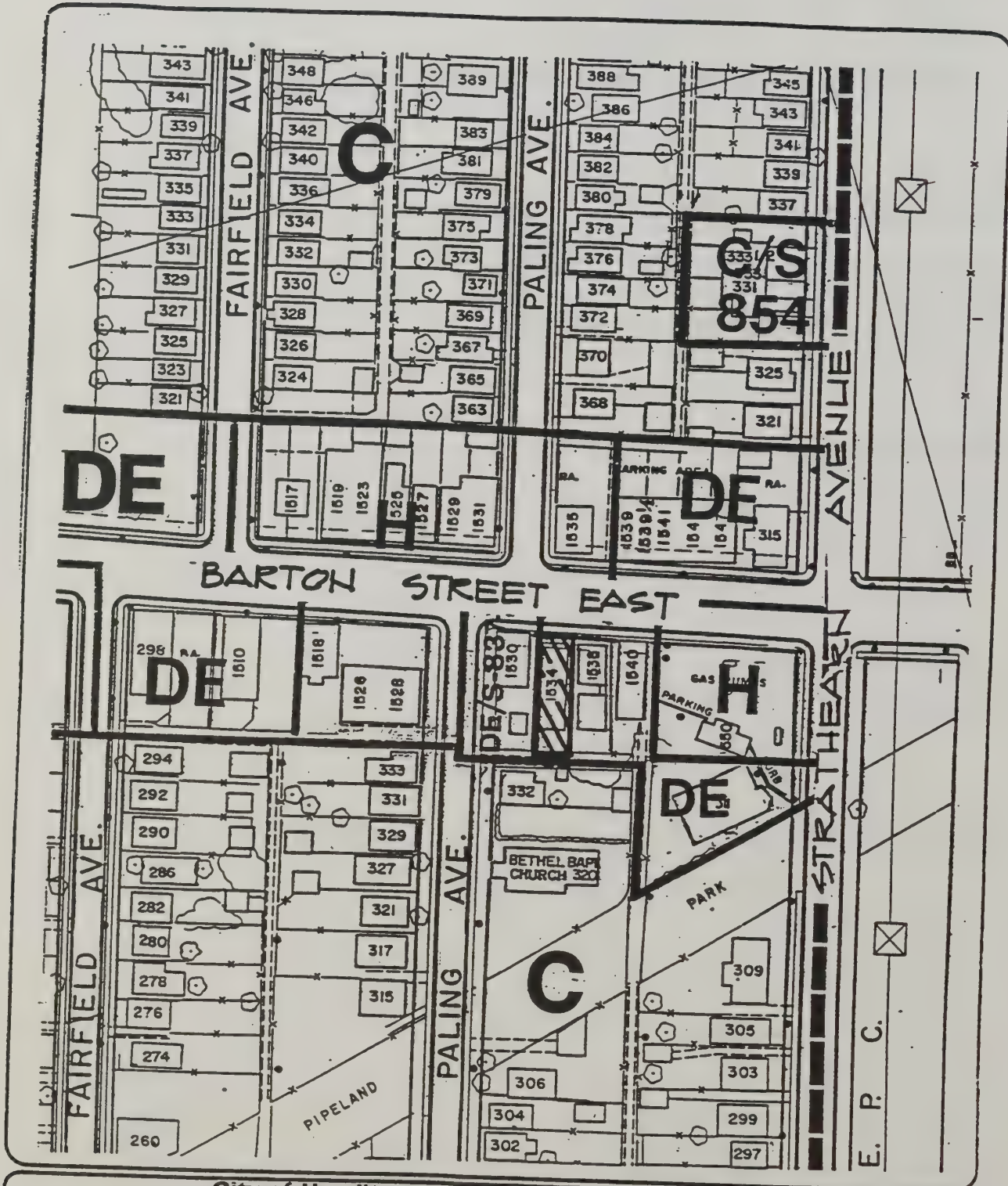
ADMINISTRATION

Insurance	\$ 950.
Accounting-Auditor	\$ 350.

OTHER

Miscellaneous	\$ 500.
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<u>Total budget for 1999</u>	<u>\$12,250.00</u>
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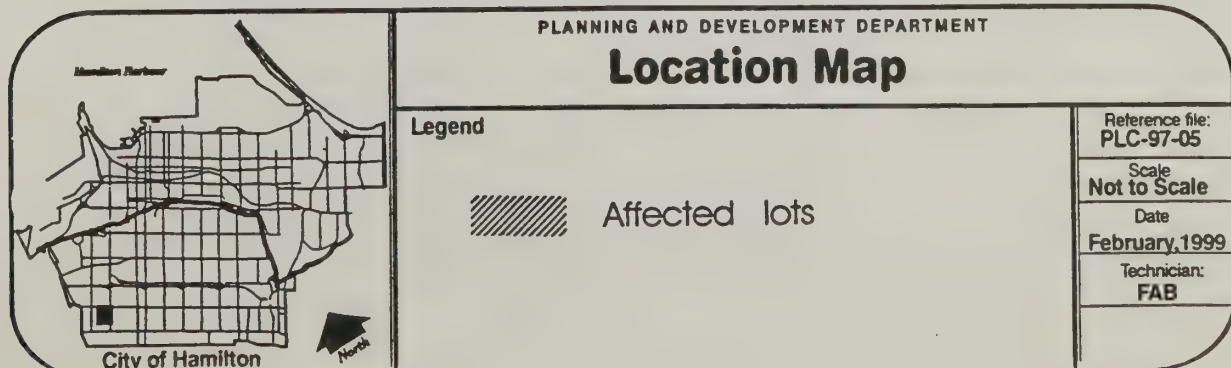
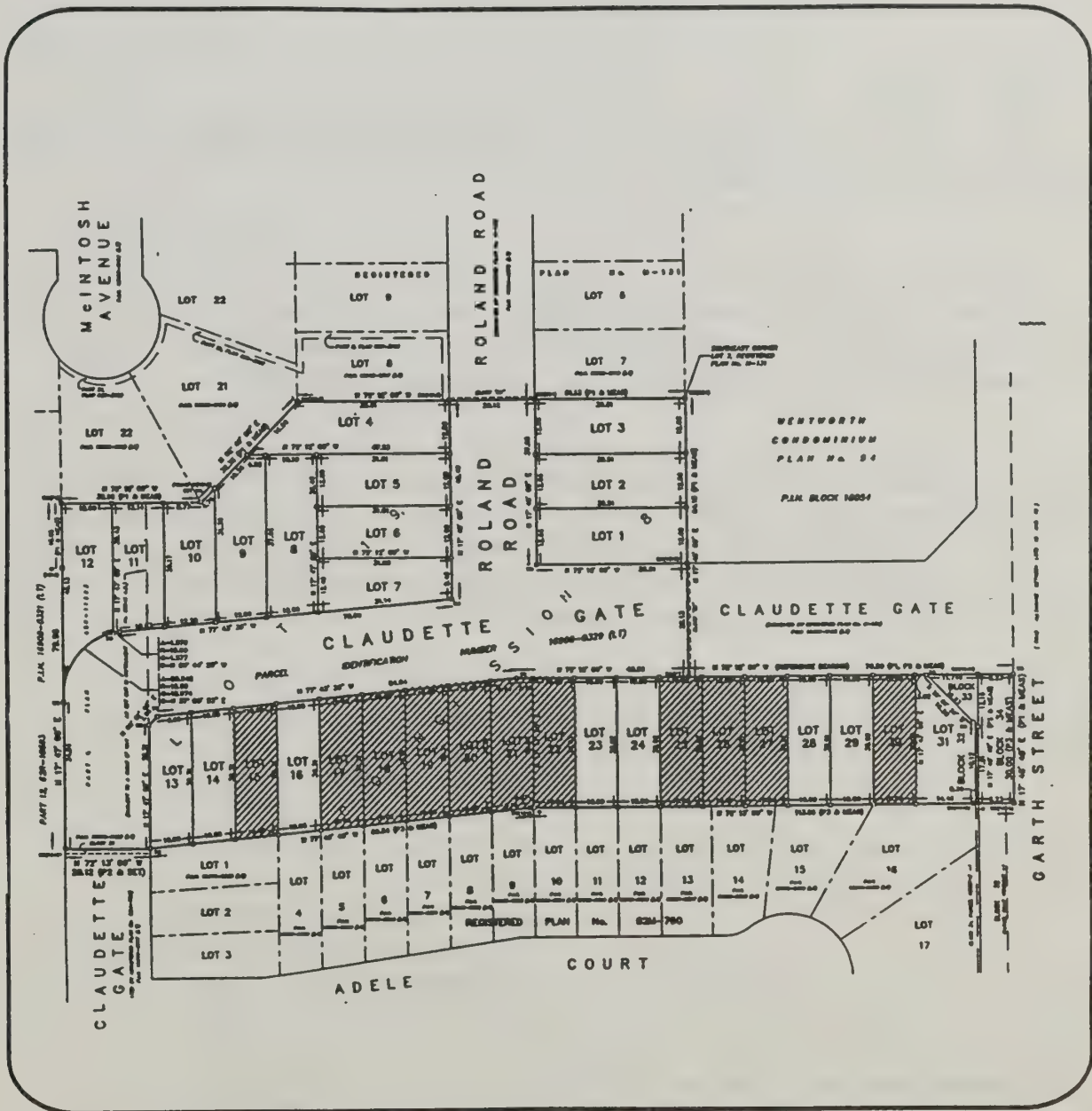
**City of Hamilton,
Committee of Adjustment**
Location Map by the Technical and Cartographic Section, Planning and Development Department

A-98:202



March 9, 1999

Appendix "F" referred to in Section 7(a) of the **SIXTH** Report of the Planning and Development Committee for 1999



March 9, 1999

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SEVENTH** Report for 1999 and respectfully recommends:

1. Regarding an application by Paul Ennis, in trust, owner of 276 Wellington Street North for a demolition permit for the building on this property, it is recommended that the Building Commissioner be authorized to issue a demolition permit provided the following has first been fulfilled:
 - (a) That the applicant has registered on title to this property a restriction under which the applicant covenants to the City that neither he nor his successors in title shall use this property for purposes of a public parking lot. The said restriction shall be prepared and registered by the applicant's lawyer in a form satisfactory to the Director of Legal Services and Corporate Counsel .

Respectfully submitted,

**ALDERMAN F. D'AMICO
PLANNING AND DEVELOPMENT
COMMITTEE**

**Kevin Christenson, Acting Secretary
March 9, 1999**

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTH** Report for 1999 and respectfully recommends:

1. **Release of Sale – Circle M Flamborough Inc. – Sale – 647/649 King Street East**
 - (a) That the City of Hamilton agree to release Circle M Flamborough Inc. (Tony DiMillo) from the obligation to fulfill and complete the requirements of the Offer to Purchase for 647/649 King Street East, Hamilton, dated June 23, 1998; and,
 - (b) That the deposit of \$2,750 received from Circle M Flamborough Inc. (Tony DiMillo) in connection with an Offer to Purchase executed on June 23, 1998 be retained by the City of Hamilton and be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases) as liquidation damage in accordance with paragraph 12 of said Offer; and,
 - (c) That the City of Hamilton agree not to further pursue litigation against Circle M Flamborough Inc. in relation to its failure to complete the transaction as stipulated in the Offer to Purchase dated June 23, 1998; and,
 - (d) That the Mayor and the Municipal Clerk be authorized and directed to execute any documentation, satisfactory to the Corporate Counsel required to effect such release; and,
 - (d) That an Offer to Purchase Agreement, executed by Darshan Plaha, on February 16, 1999 and scheduled to close on or before April 27, 1999, for the lands being composed of part of Lots 3 and 4 on Plan 43 in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, having a frontage of 11.34 metres (37.23 feet) more or less, along the northern limit of King Street East, and a depth of 33.53 metres (110.0 feet) more or less, comprising an area of 412.01 square metres (4,435.00 square feet) more or less, known municipally as 647/649 King Street East, Hamilton, with all structures erected thereon, which lands were vested with the Corporation of the City of Hamilton as a consequence of proceedings under the Municipal Tax Sales Act, R.S.O. 1990, Chapter M.60 as amended, be approved and completed and the funds derived from this sale of \$32,600, less a commission of \$,1956, plus GST, be

credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

- (f) That the required deposit cheque in the amount of \$3,260 be held by the General Manager, Finance pending Council approval; and,
- (g) That upon successful completion of this sale, a real estate commission of \$1,956 (6% of the \$32,600 sale price, plus GST) be paid to Chambers & Company Limited (Sales Representative Frank Carravagio), who acted in this matter; and,
- (h) That the Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
- (i) That satisfactory notice has been given to the public of the intended sale; and,
- (ii) That an appraisal of the fair market value of the real property intended to be sold was obtained on March 2, 1999.

2. Declaration of Surplus Property/Sale – 149-153 Sherman Avenue North, Car Park 12A

- (a) That 149-153 Sherman Avenue North be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,
- (b) That the Real Estate Division be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049; and,
- (c) That an Offer to Purchase, duly executed by 1298666 Ontario Limited carrying on business as Britannia Sports Bar and Grill (A. Ioannidis, President), on January 25, 1999, scheduled to close on or before April 15, 1999, for PIN 17197-0375, firstly, all of Lot 121 and part of Lot 122, Registered Plan 76 as in Instruments 89148 AB and 224203 AB; secondly, part of Lot 122, Registered Plan 76, as expropriated by the City of Hamilton By-law 72-17 and registered as Expropriation Plan 235400 AB, being all of the PIN, having a frontage of 26.554 metres (87.12 feet) more or less, and a depth along the southerly property line of 27.444 metres (90.04 feet) more or less, having an irregular shape, be approved and completed and the funds derived from this sale of \$48,000 be credited to Account Centre CH 00202 (Parking Authority Off Street Reserve); and,

- (d) That the required deposit cheques in the amount of \$4,800 be held by the General Manager, Finance pending Council approval; and,
- (e) That upon successful completion of this sale, a real estate commission of 5% of the sale price, plus GST, be paid to John W. Harvey Real Estate Company Limited (Don Rankin, Sales Representative), who acted in this matter; and,
- (f) That the Mayor and Municipal Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the Corporate Counsel; and,
- (g) That the Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (i) That satisfactory notice has been given to the public of the intended sale; and,
 - (ii) That an appraisal of fair market value of the real property intended to be sold was obtained on January 12, 1999.

3. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-7 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN D. WILSON
CHAIRMAN
FINANCE AND ADMINISTRATION
COMMITTEE**

**Susan K. Reeder
Secretary
March 2, 1999**

CAY ON HBL A05

M21

1999

March 16, 1999

**URBAN
MUNICIPAL**

Minutes of the Special Meeting of City Council
Tuesday, March 16, 1999
10:40 o'clock p.m.
Council Chambers, City Hall

URBAN MUNICIPAL

APR 19 1999

The Council met:

GOVERNMENT DOCUMENTS

Present: Mayor R. M. Morrow
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, D. Wilson, G. Copps, C. Collins, F. Eisenberger, T. Jackson,
B. Charters, B. Kelly, F. D'Amico, D. O'Sullivan.

Absent: Alderman T. Anderson - Other business

Mayor R. M. Morrow called the meeting to order at 10:40 o'clock p.m.

It was moved by Alderman Kiss and seconded by Alderman O'Sullivan that Council move into Committee of the Whole to consider resolutions respecting the following:

Memorandum of Agreements with C.U.P.E. Locals,
Salary Adjustments for Non Union Staff,
Issuance of Building Permit – Pier 25,
O.M.B. Hearing - Windermere Basin,
Appointment of a Fire Chief.

Council then went into Committee of the Whole, with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining,
Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Kelly, D'Amico,
O'Sullivan. -16.

NAYS: -0.

CARRIED.

Council moved in-camera in Room 233 to discuss a personnel matter.

Following the in-camera meeting, City Council met jointly with Regional Council in-camera in the Council Chambers to consider matters pertaining to the following:

Ratification of the Memorandum of Agreements with CUPE Locals; and
Salary Adjustments for Non Union Staff.

Following the joint meeting with Regional Council, City Council reconvened in open session.

Hiring of Fire Chief

It was moved by Alderman Wilson and seconded by Alderman Kelly that Section 3 (e) respecting the purpose of meeting and Section 9 of the Procedural By-law be suspended for this meeting of City Council in order to permit consideration of a resolution respecting the appointment of a Fire Chief. **CARRIED.**

It was moved by Alderman Wilson and seconded by Alderman Kelly that Mr. Glen G. Peace be appointed to the position of Fire Chief, effective April 12, 1999, and that the General Manager of Human Resources and the General Manager, Community Services be authorized and directed to negotiate the terms and conditions of employment within Salary Level "C" of the City of Hamilton Non Union Salary Plan. **CARRIED.**

City Council then recessed in order to permit Regional Council to complete its regular scheduled meeting.

Following the adjournment of Regional Council, City Council reconvened and met in-camera with respect to the following matters:

Issuance of Building Permit – Pier 25
Memorandum of Agreements with CUPE Locals

City Council then reconvened in open session.

Issuance of Building Permit – Pier 25

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Section 3 (e) respecting the purpose of meeting and Section 9 of the Procedural By-law be suspended for this meeting of City Council in order to permit consideration of a resolution respecting the issuance of a building permit to James Richardson International – Pier 25.

CARRIED.

It was moved by Alderman Wilson and seconded by Alderman Caplan that Corporate Counsel be directed to commence an Application in Ontario Court (General Division) against Len C. King, Chief Building Official, and James Richardson International, to quash the issuance Building Permit #99 101 159 000 00 pursuant to Section 25 of the Building Code Act, S.O. 1992.

CARRIED.

Memorandum of Agreement with CUPE Locals

It was moved by Alderman Wilson and seconded by Alderman Horwath that Rule No. 9 be invoked for this meeting of City Council in order permit consideration of a resolution respecting the ratification of the Memorandum of Agreements with CUPE Locals.

CARRIED.

It was moved by Alderman Wilson and seconded by Alderman Horwath that the Memorandum of Agreement between the City or Region (where applicable) and CUPE Locals 167 (City, Region, Macassa Lodge and Wentworth Lodge units) and Locals 5 (City and Region), dated February 25, 1999, covering the period April 1, 1999, to March 31, 2001, be approved and implemented in accordance with the terms attached hereto as Appendix "A".

CARRIED.

Ontario Municipal Board Hearing – Windermere Basin

It was moved by Alderman Wilson and seconded by Alderman Horwath that Section 3 (e) respecting the purpose of meeting and Section 9 of the Procedural By-law be suspended for this meeting of City Council in order to permit consideration of a resolution regarding an Ontario Municipal Board Hearing Re: Windermere Basin.

CARRIED.

It was moved by Alderman Wilson and seconded by Alderman Horwath

THAT, the Hamilton Harbour Commissioners and the Corporation of the City of Hamilton (THE PARTIES) agree to defer the Ontario Municipal Board hearing scheduled for March 22, 1999 respecting the planning issues dealing with this matter;

THAT, the parties agree to jointly engage and share in a process to receive public input and meet in a spirit of co-operation to achieve a consensual agreement respecting the disputed future uses and direction of the Windermere Basin;

THAT, the three Harbour Commissioners and three Members of City Council constitute the joint committee to hear from the public and make recommendations back to their respective main bodies no later than May 31, 1999;

THAT, both parties direct their respective staff and or consultants to work diligently and co-operatively to achieve the spirit and intention of this resolution;

AND THAT, City Council be represented on the joint committee by its Sub Committee on Harbour issues, namely Mayor R. Morrow, Alderman C. Collins and Alderman B. Charters.
CARRIED.

Non-Union Salary Adjustments

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 be invoked for this meeting of City Council in order permit consideration of a resolution respecting Non-Union Salary Adjustments.
CARRIED.

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan:

- (a) That the Non-union salary grid of all City and Regional exempt staff, with the exception of those persons holding the position of City Manager or General Manager and those staff within Salary Schedules A, B, B1 and B2, be increased by 1.5% effective April 1, 1999.
- (b) That the Regional Non-union salary schedule and performance bonus be eliminated and be replaced by the current City Non-union salary schedule, effective April 1, 1999.
CARRIED.

By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following Bill be adopted, signed, sealed and enrolled as a By-law:

F-3 A By-law to Confirm the Proceedings of The Council of The Corporation of the City of Hamilton. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman O'Sullivan that the Report of the Committee of the Whole on the resolutions respecting the following, be adopted

Memorandum of Agreements with C.U.P.E. Locals,
Salary Adjustments for Non Union Staff,
Issuance of Building Permit – Pier 25,
O.M.B. Hearing - Windermere Basin,
Appointment of a Fire Chief

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Wilson, Copps, Collins, Eisenberger, Charters, Kelly, D'Amico, O'Sullivan. -14.

NAYS: -0.

CARRIED.

City Council then adjourned at 11:30 o'clock p.m.

Taken as read and approved.

MAYOR R. M. MORROW,
CHAIRMAN

J. J. Schatz,
Municipal Clerk
March 16, 1999
JSS/dg

March 16, 1999

THIS MEMORANDUM OF AGREEMENT MADE THIS 25th day of February, 1999

Between the negotiating committees of:

**THE REGION OF HAMILTON-WENTWORTH
(hereafter referred to as the Region)**

and

**THE CORPORATION OF THE CITY OF HAMILTON
(hereafter referred to as the City)**

and

**THE CANADIAN UNION OF PUBLIC EMPLOYEES, LOCAL 5
(REGION AND CITY BARGAINING UNITS)**

and

**THE CANADIAN UNION OF PUBLIC EMPLOYEES, LOCAL 167
(REGION ADMINISTRATIVE AND CITY BARGAINING UNITS)**

1. The parties herein agree to the terms of the Memorandum as constituting full settlement of all matters at issue between the parties.
2. The undersigned representatives of the parties agree to recommend unanimously acceptance of all the terms of this Memorandum to their respective parties.
3. The parties herein agree that the term of the Collective Agreement shall be April 1, 1999 to March 31, 2001.
4. The parties agree that all provisions of the Collective Agreements covering the period April 1, 1996 to March 31, 1999 (City CUPE Local 5 and 167), shall continue in effect except as amended by the following provisions.
5. The terms and conditions of the City CUPE Local 5 and 167 Collective Agreements, will be deemed to govern relations between the parties, except that provisions contained in the expired Regional CUPE Local 5 and 167 Collective Agreements, will be deemed to be renewed, and will form part of the City Collective Agreements, to the extent necessary to meet operational requirements.
6. The Collective Agreements shall be amended in accordance with the following, including attachments and such amendments shall become effective upon ratification by both parties whose proper officers have appended there signatures hereto unless specifically provided otherwise.

Appendix "A" as referred to in a resolution
respecting the Memorandum of Agreement
between the City or Region and CUPE Locals
167 (City, Region, Macassa Lodge and
Wentworth Lodge units and Local 5 (City and
Region) for 1999

The following are the amendments referred to in item 5 above:

SENIORITY

1. With respect to seniority, City Local 5 and Region Local 5 lists will be dovetailed insofar as, Regional employees shall carry service and seniority and be placed within the City list at the appropriate position.
2. With respect to seniority, City Local 167 and Region Local 167 (Administrative) lists will be dovetailed insofar as, Regional employees shall carry service and seniority and be placed within the City list at the appropriate position.
3. Non-union employees who are included in unionized positions will be ascribed seniority, equivalent to their current service with the Employer and will be dovetailed insofar as, employees shall carry service and seniority and be placed within the City list at the appropriate position.
4. Whenever any non-union position is transferred into a bargaining unit and there is an incumbent in the position, the incumbent will be transferred with the position and the position will not be posted.
5. With respect to seniority, employees transferred from one bargaining unit to another bargaining unit, will be dovetailed insofar as, employees shall carry service and seniority and be placed within the new bargaining unit list at the appropriate position. The parties agree that members who have posted or transferred between bargaining units and suffered a loss in seniority shall be made whole. It is understood that the union shall identify such members to the employer.
6. Amend Article 14.4 of the City Local 5 Collective Agreement, for lay-off , in accordance with the following:
 - In all cases of lay-off and recall from lay-off, such lay-off or recall shall be made with seniority being the governing factor provided the employee retained or recalled can, in management's opinion, perform the work in a satisfactory manner. The employees retained must possess the skills, abilities and necessary qualifications to perform the work required, regardless of their regular classification. In the event employees exercise their seniority rights, in the context of a lay-off, to "bump up", they must return to their former position upon recall. It is expressly understood that, in the exercise of its rights under this clause, management will not act in a manner that is arbitrary or discriminatory.

SCOPE:

1. All employees of the Legal/Law Department shall be excluded from the bargaining units.
2. All employees of the Economic-Development Department in the following classifications shall be excluded from the bargaining units: Convention Services Co-ordinator, Products Development Officer-Conventions, Products Development Officer-Tourism.
3. All Information Systems Department employees other than Supervisors, those above the rank of Supervisor and any employees whose duties include confidential labour-relations and personnel matters, shall be included in the scope of Local 167, in accordance with the following:

To be included in the bargaining unit:

P.G. Burgess
C.J. Carver
R.M. Daoust
R.W. Hrynyk

To be excluded from the bargaining unit:

G.J. Calcagni
R.T. Stone
D.D. Bianchin

4. All Trade Licence Officers to be included in the scope of Local 167.
5. All Administrative Assistants to Directors and above shall be excluded from the bargaining unit. All others shall be included in the scope of Local 167.
6. All positions transferred from one bargaining unit to the other shall be included in the scope clause of the receiving bargaining unit and deleted from the scope clause of the donor bargaining unit. Signs and Marking Specialist to Local 5 from Local 167 and Landscape Designer to Local 167 from Local 5, Graphic Art Technician from Local 5 to Local 167. Delete Rodperson from Local 5 schedule A and re-evaluate Chris Plank (incumbent) in accordance with his current duties).
7. The Signs and Marking positions shall have their pending Job Evaluation maintenance request completed under the Local 167 plan. It is also understood that the Signs and Marking positions will be changed to a forty hour work week. The Signs and Marking positions will be deemed to be unique and will not be used as a comparator for establishing future wage grade for any other positions.
8. Employees who currently occupy positions presently within a bargaining unit, and whose positions have been identified for exclusion from any bargaining unit, will be given the option of competing for the newly excluded position. Should they not be the successful candidates for this position, they will receive a notice of lay-off, which will allow them to exercise their bumping rights in order to remain in an included position.

DURATION OF AGREEMENTS

April 1, 1999 to March 31, 2001

WAGES AND BENEFITS

1. Effective January 15, 1998, a general increase of \$0.20 per hour for all Local 5 (Region) classifications.
2. Effective April 1, 1998, adjust all Local 167 (Region Administrative) salary schedule rates to reflect the City 167 salary schedule rates .
3. Effective April 1, 1999, a general increase of 1.5% for all Local 5 and all Local 167 classifications.
4. Effective April 1, 2000, a general increase of 1.5% for all Local 5 and all Local 167 classifications.
5. All employees, union and non-union, at all levels of the organization, will be required to make the necessary arrangements to receive their pay via direct deposit.
6. Extended Health and Dental Plans shall all be administered to ensure that employees will not suffer any overall reduction in benefit value and coverage.
7. Income Protection shall be in accordance with the current Region plan. Changes will be as noted:
 - Local 5 (City) shall have their penalty day converted from the second occurrence to the third occurrence.
 - Local 5 (City) shall be required to submit a properly completed claim form (long form) without reimbursement.
 - Local 5 (City) the 70% benefit level shall be converted to 66 2/3%.
 - Local 167 (City) shall have their 90% benefit level increased to 100% and their 70% benefit level converted to 66 2/3%.
 - Freeze current 100% entitlement for existing City employees as existing on the date of ratification.

- Accrual of 100% entitlements for all employees to be dependent upon employees not incurring any absence for a 12 month period, with one week of 100% benefit to be accrued per 12 month absence-free period. The twelve month periods will be based on a rolling calendar beginning initially on the date of ratification and subsequently from the date of return to work from each and every successive absence. (All City employees entitled to Income Protection)
- Bridging Local 5 and 167: The Employer agrees that the first occasion of an injury or illness will be bridged so that income replacement commences 14 days after the absence begins. Any subsequent new claim or re-occurrence will be bridged so that income replacement commences 28 days after the absence begins. At such time as the claim is decided by W.S.I.B. or L.T.D. payment will revert to direct payment from W.S.I.B. or L.T.D.
- The Sick Leave By-law (City) shall be amended in order that non-paid days will be drawn to the nearest ½ day from the current 1/10th day.

HARMONIZING COLLECTIVE AGREEMENT PROVISIONS

CUPE LOCAL 167

Article 1.3

Will be as updated by the parties and will form a Schedule "E" of the Collective Agreement.

Article 4.1

delete the reference to "in City Hall Departments"

Article 5.14

add a new article to read as follows: Construction Inspectors required on the job for a period of nine and three quarters (9 ¾) continuous working hours (including meal periods) shall be paid a meal allowance of \$5.50.

Article 8.1 (housekeeping)

Correct to read as follows:	7 weeks + 2 days	14.4%
	6 weeks + 2 days	12.8%
	6 weeks + 1 day	12.4%
	6 weeks	12.0%
	5 weeks + 4 days	11.6%
	5 weeks + 3 days	11.2%
	5 weeks + 2 days	10.8%
	4 weeks + 2 days	8.8%
	3 weeks + 2 days	6.8%
	2 weeks + 2 days	4.8%

Article 11.2 amend the language to include reference for "common law relationship", in accordance with the current language in the Region 167 Collective Agreement.

Article 12.1 (housekeeping)
Delete paragraphs 3,4,5.

Article 13.12 (Region 13.11 periodic postings)
Add to City Collective Agreement

Article 16.3 add: The President of Local 167, (or designate), shall attend 1st step grievance meetings with the Steward.

Article 19.2 , 2nd paragraph amend by adding the word "annual" before the word anniversary.

Article 22.1 and 22.2: applicable to part-time agreement.

Article 22.5: delete article

Article 23.2 (add a new paragraph)
Add to read as follows: Protective clothing will be provided to cooking and housekeeping staff at the Day Care Centre. This clothing shall include art smocks for the teachers.

Article 23.3 (add a new paragraph)
Add to read as follows: Construction Inspectors shall be provided with commuter boots.

Schedule "B" (Region)

Update and Include

Schedule "E" (both)

Delete

Letters of Understanding: Add Region letter on article 14.1 as amended by deleting reference to the Regional, add Recall letter, add MCSS letter from Region, replace current letter on full time President with current Region letter on full time President; 18 month provision in MCSS letter to be applicable to City 167.

CUPE LOCAL 5

Article 2.6
delete

Article 5.4
Replace clause with Regional Local 5 clause

Article 6.9
Include Regional Sections 1-11 to this clause

Article 6.9 (a)

Include Regional sewer & water section in continuation overtime,
Subsection v) include reference to Regional Garage

Article 6.9 (b)

Include Regional sewer & water section in scheduled overtime

Article 6.9 (c)

Include Regional maintenance investigators in call-out overtime
Include Regional sewer & water in call-out overtime

Article 6.9 (d) v)

Include Regional waterworks in the stand-by duty

Article 14.13(housekeeping)

Revise language to mirror the language in the Region Agreement

Letters of Understanding

Add: Region winter operations letter

The parties agree that a meeting will be convened, prior to the start of the 1999-2000 winter operations, to discuss possible modifications to the winter operations letter based on changing requirements.

Add: letter of understanding regarding unique equipment

Delete letter of understanding – temporary modified work (4)

Letter of Understanding (new) Reference to overtime in accordance with the sections, as stated in the Collective Agreement Article 6, will be subject to revisions, following discussion with the Union, in accordance with the operational changes made necessary due to restructuring.

BILL 136

The parties agree that this memorandum of settlement satisfies the negotiations aspects arising out of Bill 136 (after a merger or amalgamating event) with respect to negotiating a replacement, compromise, or first collective agreement.

SINGLE BARGAINING UNIT

The parties agree to the establishment of a single bargaining unit for all CUPE Local 5 and Local 167 employees (new local to be established through internal union process) under the employer. This will necessitate the negotiation of a single collective agreement based on the parameters established by the above-noted inside and outside collective agreements.

The parties further agree that in the negotiation of the single collective agreement, lay-off procedures, and overtime procedures are issues that will not be bargained to impasse. Failing agreement on either lay-off or overtime procedures, these issues would remain status quo as expressed in the predecessor Local 5 and Local 167 agreements. It is understood that as a minimum the job evaluation plans shall be modified to the extent necessary to meet the requirements of Pay Equity Legislation. Additional clarification on job evaluation is attached as Appendix "A". Should any other items result in a bargaining impasse, it would be open to the parties to resolve those differences through the strike/lock-out procedures currently available to them. The parties acknowledge that, in any event, the term of the predecessor Local 167 and Local 5 Collective Agreements will be respected.

With respect to the Single Bargaining Unit Single Collective Agreement issue the parties agree to the following:-

In the event the parties are unable to complete negotiations for a new single collective agreement as contemplated by this memorandum, notwithstanding their best efforts to do so, it is expressly agreed this memorandum and its terms and conditions, except as modified by mutual agreement, shall be recognized as the new collective agreement effective no later than March 1, 2001 and expiring March 31, 2001. On the effective date of the new collective agreement the bargaining units will be merged into a single bargaining unit.

Amend Appendix "D" Article 4.2 (a) to read as follows:

- a) Requests for re-evaluation under the job evaluation plans may be initiated by either the incumbent or by management. Such requests may only be made once annually and, subject to the provisions of The Pay Equity Act, may only be made upon the following conditions being present:-
 - i. A departmental restructuring plan approved by the City Manager, the Council of the City of Hamilton or the Council of the Regional Municipality of Hamilton-Wentworth;
 - ii. The transfer of duties to or from another level of government;
 - iii. Programme, policy or procedural changes directed by either Council;
 - iv. New, revised or repealed legislation which affects job content.
 - v. Additional duties and/or responsibilities are assigned by the employer on a permanent basis.

Dated this 25th day of February 1999, at Hamilton, Ontario.

FOR THE UNION

Angela Hoff
J. Pereira
and
Frank Robert Thomas

FOR THE EMPLOYER

Robert J. Laing
Ann Holmes

CAY ON HBL AOS

M21

1999

March 30, 1999

**URBAN
MUNICIPAL**

Minutes of Hamilton City Council
Tuesday, March 30, 1999
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

APR 19 1999

The Council met:

GOVERNMENT DOCUMENTS

There were present:

Acting Mayor O'Sullivan;
Aldermen M. Kiss, M. Caplan, A. Horwath,
R. Corsini, B. Morelli, D. Haining, D. Wilson,
G. Copps, C. Collins, F. Eisenberger, T. Jackson,
B. Charters, T. Anderson, B. Kelly, F. D'Amico.

Absent:

Mayor R. M. Morrow- Illness

Acting Mayor O'Sullivan called the meeting to order.

Major Roland Shea, Salvation Army Family Services, 340 York Boulevard led Council in prayer.

PRESENTATIONS

Acting Mayor O'Sullivan with the assistance of Alderman C. Collins, Chairman of the Transport and Environment Committee presented Certificates of Recognition to the following:

a) 1998 "Keep Hamilton Blooming" Campaign Participants

Ian McKenzie	Parkdale Coaches Association
John Carrick	Freemasons of Hamilton-Wentworth
Pam McAuley	Hotz Environmental
David Belland	Friends of Gage Park
Janice Frecklton	Lafarge Construction Materials
Linda Lopinski	The Hamilton Spectator
Stan Genno	CHML & Y95.3
Frank Butty	Frank Butty Limited
Don Dussault	Imperial Oil
Don Marsales	Hamilton Hydro-Electric System
Judith Kelly	The Garden Club of Hamilton
David Miller	Mohawk College Physical Plant

Tony Pinelli	North Star Technical Inc.
Cor Vanderkruk	Connon Nurseries C. B. Holdings Limited
Denise Dickie	Ontv
Peter Ashenhurst	Ashenhurst Nouwens Ltd.
Art King	Bartonair Fabricators Inc.
Anne Pavlovic	White Flame Company
Margaret Sharpe	The Economic Insurance Group
Bob Birnie	Thomas R. Birnie & Sons
Ian Leppert	Leppert Business Systems
Ken Love	Rotary Club of Hamilton-East Wentworth
Chris Ecklund	Ecklund Process
Mr. & Mrs. Wilson	Landane House
Alan Henderson	Landscape Ontario – Hamilton Branch
Nancy Wills	Personal Donation
Russ Bridgeman	Raincentre Irrigation Contractors
Dan Brown	Raincentre Irrigation Contractors
Lilly Oddi	Orlick Industries Ltd.
Martha Leckie	Wills Motors Ltd.
Ken Rochweg	Wentworth Metal Recycling Disposal Service
Bob Birnie	AMRB Holdings Ltd. O/A Mr. Rooter
Angie Small	1023942 Ontario Inc. Country Depot

Acting Mayor O'Sullivan presented Certificates of Recognition to former citizen members on City Committees, Local Boards and Commissions as follows:

Canadian Football Hall of Fame & Museum Management Committee

Peggy Knill

Hamilton Historical Board

Carolyn McCann
Michael Murkovich
Joyce Newman
Claire Riddell

Hamilton Hydro-Electric Commission

Donald Jervis

Hamilton Public Library Board

Mark Davies

Keep Hamilton Clean Committee

Mark Alan Whittle

Local Architectural Conservation Advisory Committee

John Mokrycke

ADOPTION OF MINUTES

The minutes of the regular meeting held March 9, 1999 and the special meeting held March 16, 1999 were adopted as circulated.

CORRESPONDENCE

1. Letter dated March 23, 1999 from M. Jane Lee, Clerk/Director of Administrative Services for the Town of Flamborough respecting Services Board Alternative.

Referred to the Finance and Administration Committee.

2. Information Report dated March 16, 1999 from J. J. Schatz, Municipal Clerk advising of an objection to By-law No. 99-026 respecting property south of Stone Church Road West, and west of West 5th Street, Hamilton, Ontario.

Received.

3. Application dated March 11, 1999 from Valery Construction Company Limited, c/o Ted Valery for a change in zoning from "D" (Urban Protected Residential – One and Two family, Dwellings, etc.) District, modified to "C" (Urban Protected Residential, etc.) District modified for 965 West 5th Street, Hamilton, Ontario.

Received.

4. Application dated March 23, 1999 from Joseph Kutlesa, 1221 Limeridge Inc., for a change in zoning from "G" (Neighbourhood Shopping Centre, etc.) D District to "DE-3" (Multiple Dwellings) District modified for 1221 Limeridge Road East, Hamilton, Ontario.

Received.

5. Application dated March 19, 1999 from Mr. E. C. LaBerge), Visplar Holdings Ltd., 5803 Yonge Street, Suite 107, Willowdale, for a further modification to the established "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) for 1062 and 1088 Upper Paradise Road, Hamilton, Ontario.

Received.

6. Application dated March 12, 1999 from Reinier Hill, 127 Arbour Road, Hamilton for an Official Plan Amendment OPA 161 for 649 Pritchard Road, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Parks and Recreation Committee, Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman D'Amico in the chair.

Recorded vote.

YEAS: Acting Mayor O'Sullivan, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico. –16.

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE – FOURTH REPORT

Section 1 Re: Chedoke Ski Hill – Regional 1999 Budget Deliberations

It was moved by Alderman Caplan and seconded by Alderman Kiss that Section 1 of the Fourth Report of the Parks and Recreation Committee be amended by deleting the word "Capital" and substituting the word "Operating" in lieu thereof.

Recorded vote on Section 1 as amended.

YEAS: Acting Mayor O'Sullivan, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Eisenberger, Collins, Jackson, Anderson, Kelly, D'Amico. –14.

NAYS: Aldermen Wilson, Charters. -2.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – EIGHTH REPORT

Rule No. 9 Re: Demolition Permit – 575 Rosseau Road

It was moved by Alderman Collins and seconded by Alderman Eisenberger that Rule No. 9 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the Issuance of a Demolition Permit for 575 Rosseau Road.

CARRIED.

* * * * *

Section 12 Re: Demolition Permit – 575 Rosseau Road

It was moved by Alderman Collins and seconded by Alderman Eisenberger that the Eighth Report of the Planning and Development Committee be amended by adding Section 12 as follows:

- “12. That the Building Commissioner be authorized to issue a demolition permit for 575 Rosseau Road in accordance with By-law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.”

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE – SIXTH REPORT

Section 2 Re: Licence Agreement – Industrial Spur Line east of Strathearne Avenue North – Columbia Chemical Canada Ltd.

Recorded vote.

YEAS: Acting Mayor O'Sullivan, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico. –15.

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Section 4 Re: Urban Entertainment Centre – Consultant Studies

Recorded vote.

YEAS: Acting Mayor O'Sullivan, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico. -15.

NAYS: Alderman Copps. -1.

CARRIED.

ACTING MAYOR FOR THE MONTH OF APRIL, 1999

It was moved by Alderman Horwath and seconded by Alderman Copps that Alderman M. Kiss be appointed Acting Mayor for the month of April, 1999.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee and resolutions, be adopted.

Recorded vote.

YEAS: Acting Mayor O'Sullivan, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico. -16.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:15 o'clock p.m.

* * * * *

Taken as read and approved.

**ACTING MAYOR D. O'SULLIVAN
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
March 30, 1999
JJS/dg**

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FOURTH** Report for 1999 and respectfully recommends:

1. That the issue of the Chedoke Ski Hill be discussed and considered at the Region of Hamilton Wentworth 1999 budget deliberations failing which it will be immediately returned to City of Hamilton Operating Budget discussions.
AMENDED.

Recorded vote.

YEAS: Acting Mayor O'Sullivan, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Eisenberger, Collins, Jackson, Anderson, Kelly, D'Amico. -14.

NAYS: Aldermen Wilson, Charters. -2.

CARRIED.

Respectfully Submitted,

**ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

T. Agnello
Secretary
March 30, 1999

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **EIGHTH** Report for 1999 and respectfully recommends:

1. Modification in Zoning for Lands at the Rear of 1016 Upper Paradise Road

That approval be given to Zoning Application ZAC-99-03, Effort Trust Company (A. Weisz), prospective owner, for a modification in zoning to the established "D" (Urban Protected Residential – One and Two Family, etc.) District, for lands known municipally as 1016 Upper Paradise Road, as shown on the attached map marked as Appendix "A", on the following basis:

- (a) That the "D" (Urban Protected Residential – One and Two Family, etc.) District regulations, as contained in Section 10 of Zoning By-law No. 6593, as amended by By-law No. 98-210, applicable to the subject lands, be modified to include the following variances, as special requirements:
 - i) That notwithstanding Section 2.(6) and 10.(3)(ii) of Zoning By-law No. 6593, for a single family dwelling only a portion of one required side yard having a width of not less than 0.60 metres that abuts the wall of an attached garage shall be permitted, except that:
 - 1) in the case of a corner lot, a side yard having a flankage width of not less than 1.2 metres shall be provided and maintained; and,
 - 2) where a side yard abuts any other residential district, a sideyard of 1.2 metres shall be provided and maintained; and,
 - ii) That notwithstanding Section 5(b) of Zoning By-law No. 98-210, applicable to the subject lands, for a one storey dwelling, the lot coverage of all buildings and structures shall not exceed 45% of the lot area; and,
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1405a, and that the subject lands on Zoning District Map W-37D be notated as S-1405a; and,

- (c) That the Director of Legal Services and Corporate Counsel be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37D for presentation to City Council; and,
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,
- (e) That the Director of Legal Services and Corporate Counsel be directed to provide for the establishment of maintenance easements for all lots with a 0.60 m sideyard setback by the developer as part of the City of Hamilton Subdivision Agreement which is required as a condition of draft plan approval for the "Tiffany Park" subdivision.

2. Central Neighbourhood Plan

- (a) That the Central Neighbourhood Plan dated February, 1999, previously distributed to Members of Council and available in the Office of the Municipal Clerk, be adopted; and,
- (b) That the projects identified in the Action Chart, to implement the Neighbourhood Plan, be referred to the appropriate Division; and,
- (c) That Staff be directed to work with the Neighbourhood Association to reconcile the differences between the West Harbourfront Plan at the earliest possible convenience; and,
- (d) That the Community Planning and Development Division be directed to undertake a City initiative for the rezonings identified in the report to implement the Neighbourhood Plan.

**3. Ottawa Street Business Improvement Area (B.I.A.)
Proposed Budget and Schedule of Payments for 1999**

- (a) That the 1999 Operating Budget for the Ottawa Street B.I.A., attached hereto as Appendix 'B', be approved in the amount of \$34,945 subject to any 1998 assessment appeals; and,
- (b) That the General Manager of Finance, be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 1999 budget as referenced in (a) above; and,

- (c) That the following schedule of payments for 1999 be approved:

March 01	\$11,648
June 01	\$11,648
September 01	\$11,649

4. **Final Lot Grading and Sodding Contract for Various Subdivisions in 1999**

That the General Manager of Finance be authorized and directed to issue an Open Order to Crescan Landscape Ltd. to provide final lot grading and sodding as and when required during 1999 in various subdivisions in Hamilton.

5. **563 Rymal Road East – Demolition**

That the Building Commissioner be authorized to issue a demolition permit for 563 Rymal Road East in accordance with By-law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.

6. **Administration Fee – Clearance for Outstanding Work Orders Building Permits and Fees**

That the Director of Legal Services and Corporate Counsel be authorized and directed to prepare a by-law to amend By-law No. 98-174 to authorize the Building Commissioner to collect a new fee of \$75 for the inspection and clearing of an outstanding Work Order other than a registered Property Standards Order.

7. **Administration Fee for Clearance and Discharge of Outstanding Registered Order Under Property Standards By-law No. 98-243**

That the Director of Legal Services and Corporate Counsel be authorized and directed to prepare a by-law to amend Property Standards By-law No. 98-243 to authorize the Building Commissioner to collect a new fee for the inspection of a property in order to clear an outstanding registered order under Property Standards By-law No. 98-243, as amended, and to subsequently have the said order discharged from title.

8. **Commercial Property Improvement Loan Program Increase, 629 Barton Street East**

- (a) That the original loan of thirteen thousand, eight hundred and thirty-two dollars (\$13,832) to Filomena Raso, for improvements to 629 Barton Street East, be increased by one thousand, eight hundred and forty eight dollars (\$1,848), totalling fifteen thousand, six hundred and eighty dollars (\$15,680), subject to the fulfillment of the borrowing requirements of the Commercial Property Improvement Loan Program; and,
- (b) That a grant increase from the Barton Street Revitalization Fund in the amount of nine hundred and twenty-four dollars (\$924) be utilized to pay-down this loan increase as per the terms of the Barton Street Revitalization Program.

9. **Community Heritage Ontario 1999 Conference – Delegates to Attend**

- (a) That up to two members of the Local Architectural Conservation Advisory Committee be authorized to attend Community Heritage Ontario's 1999 Provincial Conference to be held in Kingston, Ontario from May 28-30, 1999; and,
- (b) That the Conference costs in the estimated amount of \$860 be financed through the Legislative Travel Account No. CH 55201 10010.

10. **Hamilton Cemetery Gatehouse, 777 York Boulevard – Designation**

- (a) That approval be given to the Intent to Designate the Hamilton Cemetery Gatehouse at 777 York Boulevard, as a property of historical and architectural value, pursuant to the provisions of Part IV of the Ontario Heritage Act, 1997, as outlined in the Reasons for Designation attached hereto and marked as Appendix "C"; and,
- (b) That the Director of Legal Services and Corporate Counsel be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1997.

11. **Bills:**

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

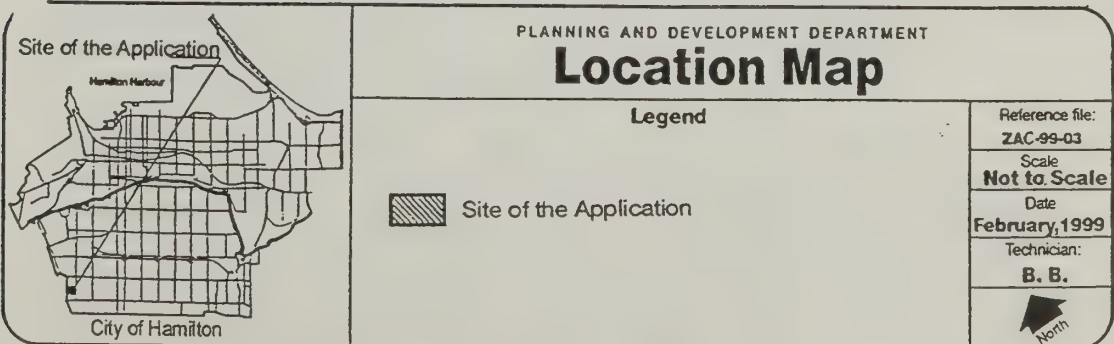
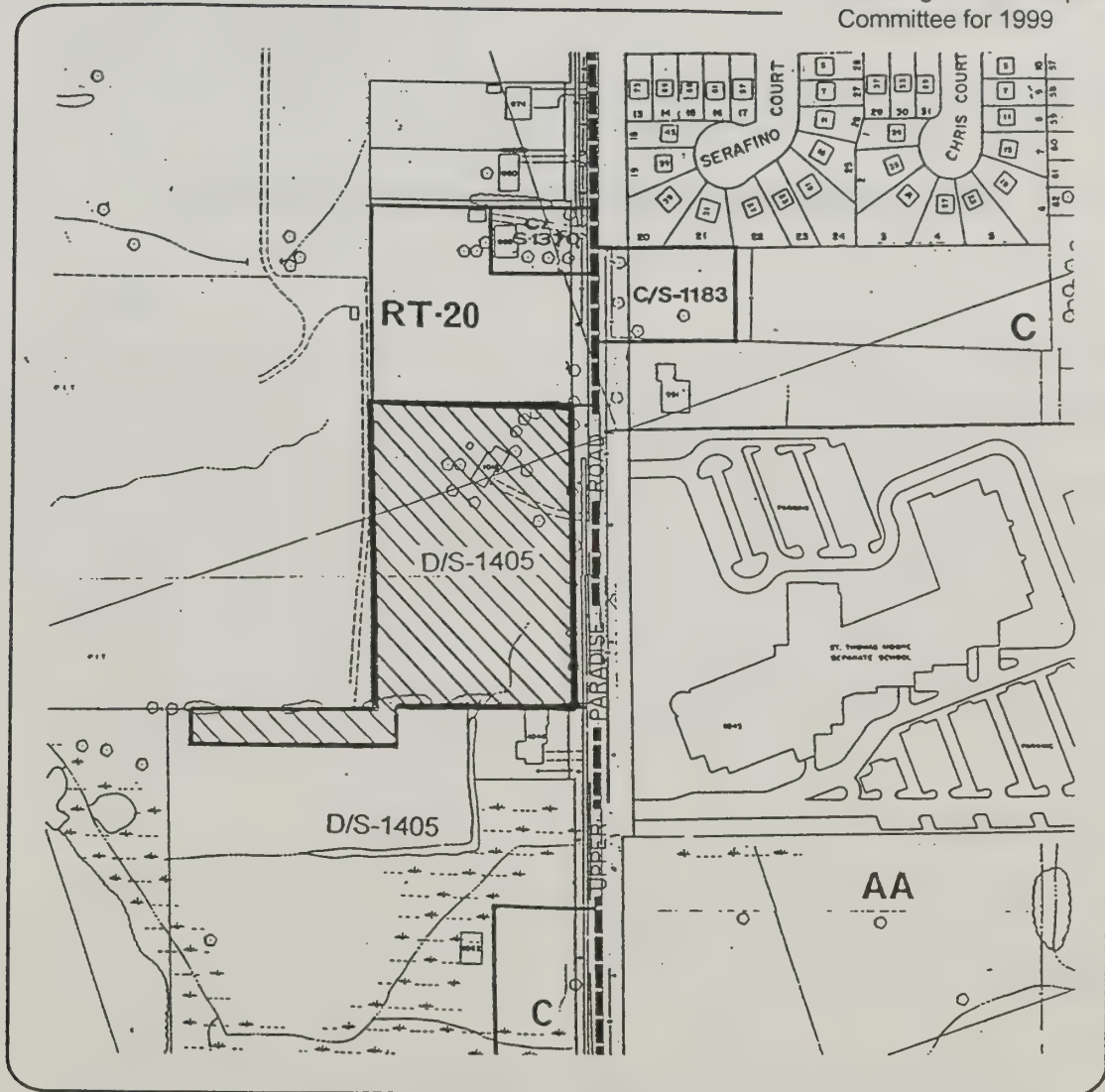
- (a) C-14 A By-law to Amend By-law No. 86-73 as Amended by By-law No. 92-058 and 98-063 Respecting Members of the Board of Management of the Downtown Hamilton Business Improvement Area.
 - (b) C-15 A By-law to Amend Zoning By-law No. 6593 Respecting Landscape Regulations and Design Standards for Commercial Uses.
 - (c) C-16 A By-law to Amend Zoning By-law No. 6593 Respecting The Location of Vehicular Access Points for Restaurant Parking in an "H" District.
12. That the Building Commissioner be authorized to issue a demolition permit for 575 Rosseau Road in accordance with By-law No. 74-290 pursuant to Section 33 of The Planning Act, as amended." **ADDED.**

Respectfully submitted,

**ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

**Tina Agnello, Secretary
March 24, 1999**

Appendix "A" referred
to in Section 1 of the
EIGHTH Report of the
Planning and Development
Committee for 1999



Appendix "B" referred
to in Section 3(a) of the
EIGHTH Report of the
Planning and Development
Committee for 1999

OTTAWA STREET B.I.A. PROPOSED BUDGET FOR 1999

ADVERTISING	\$ 6,000.
BEAUTIFICATION	\$ 2,200.
INSURANCE	\$ 945.
MEETING EXPENSES	\$ 500.
OFFICE EXPENSES	\$ 600.
PROFESSIONAL SERVICES	\$ 5,000.
RENT	\$ 1,200.
SPECIAL EVENTS	\$16,000.
TELEPHONE	\$ 700.
TRAVEL & PARKING	\$ 700.
DONATIONS	\$ 1,100.
TOTAL BUDGET	\$34,945.00

Appendix "C" referred
to in Section 10 of the
EIGHTH Report of the
Planning and Development
Committee for 1999

Hamilton Cemetery Gatehouse 777 York Boulevard

REASONS FOR DESIGNATION

Context

Marking the main entrance to the Hamilton Cemetery, this mid-19th century stone gatehouse is located on the west side of York Boulevard opposite Harvey Park, which abuts the grounds of Dundurn Castle. Situated on the high strip of land between Hamilton Harbour and Cootes Paradise known as Burlington Heights, the Hamilton Cemetery occupies a long irregularly-shaped 100-acre piece of land bounded by York Boulevard, the bluff overlooking Princess Point, and the Strathcona residential neighbourhood to the south. Its extensive landscaped grounds containing a multiplicity of tombstones and monuments as well as an exceptional variety of trees and shrubs create a picturesque parklike setting for the gatehouse. The Hamilton Cemetery is an excellent example of the "garden cemetery", popular throughout North America from the mid-19th to the early 20th century, and characterized by its informal layout, naturally contoured terrain, winding roadways and attractive landscaping of grass, trees and shrubs.

History

The Hamilton Cemetery was the first public cemetery in Hamilton and is claimed to be the first municipally owned and controlled cemetery in Canada. It opened in 1848 on a tract of land acquired from Christ's Church (part of a larger parcel purchased from Sir Allan MacNab in 1847) and was initially named the Burlington Cemetery. The cemetery was progressively enlarged by the acquisition of additional parcels of land, including 24 surveyed lots originally owned by MacNab on the west side of York Street and property owned by the Roman Catholic Episcopal Corporation of Hamilton known as the "Bishop's Field". In 1892 the City assumed control of two burial grounds to the south owned respectively by Christ's Church and Church of the Ascension; with this amalgamation its name was changed to the Hamilton Cemetery.

The gatehouse was erected on a parcel of land in front of the cemetery: lots 10 and 11 purchased by the City from W.H. Dickson in 1854. Identified on the original architectural drawings as the Gate Lodge, this modestly-scaled building was designed to house a "public waiting room" (later referred to as a mortuary chapel) and caretaker's residence. After the last resident superintendent resigned in 1900, the building functioned as an office and chapel. In recent years, it has served as the administrative headquarters for the Hamilton Municipal Cemeteries.

- 2 -

Architecture

The Hamilton Cemetery Gatehouse constitutes one of only two architecturally distinctive 19th century cemetery buildings in the Hamilton area, the other being the 1889 stone mortuary chapel at Holy Sepulchre Cemetery in Burlington (excluding churches with attached burial grounds). It also represents an early example in Ontario (and possibly also Canada) of a building intended to serve one or more functions associated with the operation of a cemetery. Its design is attributed to William Hodgins, an architect/ civil engineer who appears to have prepared the plans in 1854 while employed as the City Engineer. The building was completed some time between 1855 and 1862. Hodgins achieved a masterful adaptation of the Gothic Revival style to a dual-purpose building combining the functions of chapel/waiting room and dwelling. This combination of uses appears to be quite unusual, at least within a Canadian context: cemetery buildings in this country were more often designed to serve a single purpose, such as a mortuary chapel or caretaker's house.

Architecturally, the Hamilton Cemetery Gatehouse is notable for its rock-faced ashlar construction with dressed stone trim, its picturesque silhouette, and its fine Gothic Revival detailing. The dominant buttressed corner tower is now crowned by an intricately carved open stone structure with finials. Designed by architect Gordon Hutton and erected in 1920 to replace the wood spire (as rebuilt in 1904), it was intended to have a copper spire, which was never built. The 1894 bell from the original tower is presently displayed on a stone platform beside the entrance driveway. Also noteworthy are the two original chapel and dwelling entrances with arched wood doors, the windows with Tudor-arched openings and hood mouldings sprung from carved figure heads, the two large chapel windows with stone tracery, and the three circular openings with quatrefoil windows.

A later one-storey stone wing on the north facade, designed by the local architectural firm of Stewart & Witton and added in 1913, is in keeping with the Gothic Revival design of the original building.

The small but imposing chapel interior is distinguished by an arched beamed ceiling supported by wood trusses sprung from wood columns resting on widely projecting plaster brackets, two large traceried leaded glass windows, wood-panelled wainscoting and Tudor-arched wood-panelled doors.

Designated Features

Important to the preservation of the Hamilton Cemetery Gatehouse are the original architectural features of:

- 3 -

- 1) all facades of the original building and 1913 addition, except for the new stuccoed frame wall with a doorway and window on the west facade. Included are the stone masonry walls and chimneys, stone belfry, carved stone details, the slate roofing with round-cut ornamental slates, and the doorways and windows.
- 2) the former chapel/ waiting room interior with its wood trusses, beams, wainscotting, and doorways (including the one originally located at the north end of the west wall but recently moved to create a new doorway linking the chapel and office).

This designation by-law is restricted to the gatehouse building; it does not include any other built or landscape features on the Hamilton Cemetery grounds: i.e. the fencing, roadways, trees, outbuildings, tombstones, monuments, vaults, etc.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SIXTH** Report for 1999 and respectfully recommends:

1. Supply and Delivery of Janitorial, Sanitary and Food Services Supplies

That a purchase order be issued to Shumac Enterprises Inc., Burlington, to supply and deliver janitorial, sanitary and food services supplies to various departments for a period of one (1) 12-month term with an option in favour of the Region/City to renew to two (2) 12-month terms, being the lowest of four acceptable proposals received, in accordance with a Request for Proposal issued by the Purchasing Division and Vendors Proposal, and be financed through various approved accounts.

2. Licence Agreement – Industrial Spur Line east of Strathearne Avenue North – Columbia Chemical Canada Ltd.

- (a) That the Corporation of the City of Hamilton enter into a Licence Agreement for the lands being the Industrial Spur Line east of Strathearne Avenue North with Columbia Chemical Canada Ltd.; and,
- (b) That approval be given to allow Columbia Chemical Canada Ltd. to install, maintain and use a new 8 inch oil supply pipeline and a 4 inch water supply line satisfactory in all respects to the City; and,
- (c) That a Licence Agreement between The Corporation of the City of Hamilton and Columbia Chemical Canada Ltd. be entered into prior to the installation of the new oil pipeline and water line; and,
- (d) That the Licence Agreement commence on April 1, 1999 until terminated upon sixty (60) days written notice by either party; and,
- (e) That the annual fee of \$1,270.50 be credited to Account No. CH 44104 31106 (Rent Fees – Civic Properties Rented); and,
- (f) That the installation on the City property be completed in the location and manner shown on Drawing No. 196-G-505 prepared by EPCM Services Ltd.; and,

- (g) That the Mayor and Municipal Clerk be authorized and directed to execute the Licence Agreement, in a form satisfactory to the Corporate Counsel.

Recorded vote.

YEAS: Acting Mayor O'Sullivan, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico. -15.

NAYS: Alderman Copps. -1.

CARRIED.

3. Financing of the City's share of servicing expenditures related to subdivisions

That as referred to in Section 34 of the Third Report for 1999 of the Transport and Environment Committee approved by City Council on March 9, 1999, the City's share of servicing Effort Gardens – Phase 2 in the amount of \$53,793.37 and Tiffany – Phase 3 in the amount of \$56,927 to a total of \$110,720.37 be financed by the Reserve for Services through Unsubdivided Lands, Account Centre No. CH 00107.

4. Financing of Consultant Studies for Identification of Preferred Site for Urban Entertainment Centre

That as referred to in Section 1 of the Fifth Report for 1999 of the Planning and Development Committee approved by City Council on February 23, 1999, the cost of preparing an architectural and planning design study for the Urban Entertainment Centre in the amount of \$10,000 be financed by the Reserve for Contingency, Account Centre No. CH 00115.

Recorded vote.

YEAS: Acting Mayor O'Sullivan, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico. -15.

NAYS: Alderman Copps. -1.

CARRIED.

5. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-8 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN D. WILSON
CHAIRMAN
FINANCE AND ADMINISTRATION
COMMITTEE**

**Susan K. Reeder
Secretary
March 16, 1999**

CAY ON HBZ A05

M21

1999

April 13, 1999

**URBAN
MUNICIPAL**

Minutes of Hamilton City Council
Tuesday, April 13, 1999
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

APR 21 1999

The Council met:

GOVERNMENT DOCUMENTS

There were present:

Mayor R. M. Morrow;
Aldermen M. Kiss, M. Caplan, A. Horwath,
R. Corsini, B. Morelli, D. Haining, D. Wilson,
G. Copps, C. Collins, F. Eisenberger, T. Jackson,
B. Charters, T. Anderson, B. Kelly, F. D'Amico,
D. O'Sullivan.

Mayor R. M. Morrow called the meeting to order.

Reverend Susan Best, Christ's Church Cathedral led Council in prayer.

PRESENTATIONS

Commanding Officer HMCS Star Lieutenant Commander Doug Martin presented a Certificate to Mayor R. M. Morrow proclaiming him an honorary member of the crew of the HMCS Star in the Naval Reserve.

Ms. D. Laroque and Ms. A. Perrotte invited all members of City Council to attend the Ebony Fashion Fair at Michelangelo Banquet Centre on Thursday, May 13, 1999.

Alderman R. Corsini, on behalf of the members of City Council presented Mayor Morrow with a gift and best wishes for his health after his recent illness.

ADOPTION OF MINUTES

The minutes of the meeting held March 30, 1999 were adopted as circulated.

CORRESPONDENCE

1. Letter dated March 29, 1999 from Canadian National Railway, Toronto, for a change in zoning from "J" (Light and Limited Heavy Industry, etc.) District to "H" – 'H' (Community Shopping and Commercial, etc. – Holding) District (Block "1") and from "J" (Light and Limited Heavy Industry, etc.) District to "A" (Conservation, Open Space, Park and Recreation) District (Block "2") to permit the conversion of the existing building for use as a Training Centre, Restaurant, Office, Retail & Entertainment uses and the construction of a new building for use as a 78 bed Residential Care Facility (Block "1") and open space uses (Block "2") for lands known as 360 James Street North.

Received.

2. Letter dated March 31, 1999 from Canadian National Railway Company, Toronto, for a change in zoning from "H" (Community Shopping and Commercial, etc.) District (Block "1") and "J" (Light and Limited Heavy Industry, etc.) District (Block "2") to "G-3" – 'H' (Public Parking Lots – Holding) District to permit the use of the lands as a public parking lot for lands located west of James Street North south of C.N. Railway.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman D'Amico in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Anderson, Kelly, D'Amico, O'Sullivan. –15.

NAYS: -0.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – NINTH REPORT

FINANCE AND ADMINISTRATION COMMITTEE – SEVENTH REPORT

Section 2 Re: Rodeo at Copps Coliseum

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Anderson, Kelly, D'Amico, O'Sullivan. – 13.

NAYS: Aldermen Caplan, Horwath. –2.

CARRIED.

* * * * *

Section 6 Re: Establishment of a Sub-Committee for allocating funds from the sale of surplus Freeway Lands

It was moved by Alderman O'Sullivan and seconded by Alderman Anderson that Section 6 of the SEVENTH Report of the Finance and Administration Committee for 1999 be referred back.

Recorded vote.

YEAS: Aldermen Kiss, Corsini, Anderson, Kelly, O'Sullivan. –5

NAYS: Mayor Morrow, Aldermen Caplan, Horwath, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, D'Amico. –12. **LOST.**

* * * * *

Section 6 Re: Establishment of a Sub-Committee for allocating funds from the sale of surplus Freeway Lands

It was moved by Alderman Caplan and seconded by Alderman Wilson that Section 6 of the SEVENTH Report of the Finance and Administration Committee for 1999 be amended by deleting the word "determining" in sub-section (a) and replacing it with the word "recommending" in lieu thereof. **CARRIED.**

* * * * *

Section 6 Re: Establishment of a Sub-Committee for allocating funds from the sale of surplus Freeway Lands

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Section 6 of the SEVENTH Report of the Finance and Administration Committee for 1999 be amended by deleting sub-section (b) in its entirety, and replacing it with the following:

- (b) That the method of financing for the Delta Secondary School Anniversary Project in the amount of \$60,000 be from the approved 1998 Capital Budget Account for Red Hill Creek Valley expenditures. **CARRIED.**

* * * * *

Re: Rule No. 9 - 1999 Interim Tax Billing

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting setting of due dates for 1999 Interim Taxation for Properties Multi-Residential, Commercial and/or Industrial Assessments. **CARRIED.**

* * * * *

Section 12 Re: 1999 Interim Tax Billing

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following be added as Section 12 of the SEVENTH Report of the Finance and Administration Committee for 1999:

12. (a) That the due dates for the two instalments of 1999 interim taxation billing for properties with multi-residential, commercial and/or industrial assessments and any other properties not yet billed for 1999 interim taxation, be set no earlier than May 31 and June 30, 1999, respectively; and
- (b) That the interim taxation rates and other conditions captured in the January 27, 1999 report be used to compute the taxation liabilities for the billing of this set of properties; and
- (c) That the Director of Legal Services and Corporate Counsel be authorized and directed to prepare the appropriate City of Hamilton By-law(s) and that the By-law(s) be passed and enacted.

- (d) That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-10: A By-law Respecting An Interim Tax Levy.

CARRIED.

Rule No. 9 Re: 1999 General Grant Process

It was moved by Alderman Collins and seconded by Alderman Wilson that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a resolution respecting the 1999 General Grant Process.

CARRIED.

Section 13 Re: 1999 General Grant Process

It was moved by Alderman Collins and seconded by Alderman Wilson that the following be added as Section 13 of the Seventh Report for 1999 of the Finance and Administration Committee as follows:

13. 1999 General Grant Process

- (a) That the Committee of the Whole considers the 1999 General Grant requests which include written presentations only, at a meeting (subject to confirmation) May 6, 1999, 10:00 a.m.; and,
- (b) That all 1999 General Grant applicants are advised of this process; and,
- (c) That the Grants Process Group for processing the grant programs consist of the General Manager, Finance; the General Manager, Community Services Division; and the General Manager, Social and Public Health Services Division and other support staff; and,
- (d) That the 1999 Convention/Reception Grant process continue in a similar fashion to that used in prior years, namely that this remain as a staff administrative process requiring an appropriate application to be completed, adhering to the funding formula of \$4.00 per participant to a maximum level of \$1,500, and payment of any grant funds be upon receipt of a summary report after the event and consistent with the Convention/Reception Grant Policy.

CARRIED.

Section 13 Re: 1999 General Grant Process

It was moved by Alderman Caplan and seconded by Alderman Horwath that Section 13 of the Seventh Report for 1999 of the Finance and Administration Committee, respecting the 1999 General Grant Process, be amended to add subsection (e) as follows:

- (e) That the Grants Co-Ordinator report back to the Finance and Administration Committee with a policy which mirrors that used in the Regional Grant Process for implementation by the City in its year 2000 General Grant Process.

Recorded vote on Section 13 as amended.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Mayor Morrow -1.

CARRIED.

Re: Rule No. 9 - Canadian Ecumenical Jubilee

It was moved by Mayor Morrow and seconded by Alderman Horwath that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order permit consideration of the Mayor's Report containing a resolution respecting the Canadian Ecumenical Jubilee.

CARRIED.

Re: Canadian Ecumenical Jubilee

It was moved by Mayor Morrow and seconded by Alderman Horwath that:

Whereas: The start of the millennium should be a time to give new hope to the impoverished people of the world; and

Whereas: Unpayable debt to lending nations is presently keeping poor nations poor; and

Whereas: It is time to cancel the backlog of unpayable debts of the most impoverished nations; and

Whereas: It is time to call upon the leaders of lending nations to write off these debts by the year 2000; and

Whereas: We Canadians join the international campaign calling for debt cancellation by promoting the Biblical tradition of Jubilee:

THEREFORE BE IT RESOLVED that the City of Hamilton supports the local participants in the Canadian Ecumenical Jubilee initiative as part of the Jubilee 2000 community that calls on the leaders of the lending nations to cancel the debts of the poorest nations by the year 2000.

CARRIED.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Planning and Development Committee, the Finance and Administration Committee and the Report of His Worship Mayor R. Morrow and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan -17.

NAYS: -0.

CARRIED.

City Council then adjourned at 8:35 o'clock p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
April 13, 1999
JJS/bc**

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **NINTH** Report for 1999 and respectfully recommends:

1. Zoning Application 99-01 for change in zoning from "J" District, modified, to "DE" District, modified - 129 Rebecca Street

That approval be given to Amended Zoning Application ZAC-99-01, Michael Valvasori, prospective owner, for a change in zoning from "J" (Light and Limited Heavy Industry, etc.) District, modified to "DE" (Low Density Multiple Dwellings) District, modified to permit the conversion of the existing building for 19 apartment units, for property located at 129 Rebecca Street, as shown on the attached map marked as Appendix "A", on the following basis:

- (a) That the subject lands be rezoned from "J" (Light and Limited Heavy Industry, etc.) District, modified to "DE" (Low Density Multiple Dwellings) District; and,
- (b) That the "DE" (Low Density Multiple Dwellings) District regulations, as contained in Section 10A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 10A.(1) of Zoning By-law No. 6593, only the following use shall be permitted:
 - (1) a multiple dwelling containing a maximum of nineteen (19) Class A dwelling units within the building existing at the time of the passing of the By-law; and,
 - (ii) That notwithstanding Section 10A.(3) of Zoning By-law No. 6593, the existing building at the time of the passing of this By-law, known municipally as 129 Rebecca Street, shall provide and maintain the following setbacks:
 - (1) 0.0 metres from the southerly, easterly, northerly and westerly lot lines; and,

- (iii) That notwithstanding Section 10A.(4) of Zoning By-law No. 6593 a lot width of not less than 17.6 m and a lot area of not less than 460 m² shall be provided and maintained; and,
- (iv) That Section 10A.(5) of Zoning By-law No. 6593 shall not apply; and,
- (v) That Section 18A of Zoning By-law No. 6593 shall not apply; and,
- (c) That the amending By-law be added to Section 19 of Zoning By-law No. 6593, as Section S-850a, and that the subject lands on Zoning District Map E-4 be notated S-850a; and,
- (d) That the Director of Legal Services and Corporate Counsel be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-4 for presentation to City Council; and,
- (e) That the proposed change in zoning is in conformity with the Official Plan for the City of Hamilton Planning Area.

2. Revised Subdivision Application "Woodland Meadows" and Change in Zoning - 965 West 5th Street

- A. That approval be given to Revised Subdivision Application 98-01, (Regional File No. 25T-98003), Valery Construction Company Limited, owner to establish a draft plan of subdivision "Woodland Meadows", on lands located east of West 5th Street and north of Stone Church Road West, known municipally as 965 West 5th Street, in the Kernighan Neighbourhood, as shown on the attached map marked as Appendix "B", subject to the following conditions:
 - (a) That this approval apply to the plan, as revised in red, prepared by Planning and Engineering Initiatives Ltd. and certified by J.P.Wooley, O.L.S. dated March 12, 1998, revised February 11, 1999, showing 40 lots for single detached dwellings, 5 blocks being 0.30m reserves, 1 block for road widening purposes and 2 streets identified as Streets "A" and "B", attached as Appendix "C"; and,

- (b) That the proposed streets be named from the City of Hamilton reserved street name list to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth; and,
- (c) That the owner prepare and submit, to the satisfaction of the Director of Planning and Development, a municipal street numbering plan; and,
- (d) That the final plan conform with the Zoning By-law approved under the Planning Act; and,
- (e) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan; and,
- (f) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton; and,
- (g) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes; and,
- (h) That the owner agree to include the following clauses in a registered portion of the subdivision agreement, to be registered on title of all lots within the plan of subdivision abutting West 5th Street and that the owner ensure that warning clauses are included on all offers of purchase and sale and reservation agreements to the satisfaction of the Director of Planning and Development and the Director of Legal Services and Corporate Counsel:

"Purchasers are advised that noise levels originating from West 5th Street may become of concern, occasionally interfering with some activities of the occupant"; and,

"Purchasers are advised that Street "A", between Street "B" and West 5th Street, may be closed to vehicular traffic at some future date when Picino Street is constructed to the north. Street "A" will be retained as a public walkway."; and,

- (i) That the owner satisfy the following conditions to the satisfaction of the Hamilton Region Conservation Authority and the Manager, Development Engineering, Regional Environment Department:
 - (i) That the owner prepare and implement an erosion and sediment control plan for the subject property. The approved plan should include the following requirements and notes:
 - (1) All erosion and sediment control measures shall be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been revegetated; and,
 - (2) All erosion and sediment control measures shall be inspected after each rainfall and maintained to the satisfaction of the Authority Engineer; and,
 - (3) Any disturbed area not scheduled for further construction within 45 days shall be provided with a suitable temporary mulch and seed cover within 7 days of the completion of that particular phase of construction; and,
 - (4) All disturbed areas shall be revegetated with permanent cover immediately following completion of construction; and,
 - (ii) That the requirements of the approved erosion and sediment control plan be included within the Subdivision Agreement for this property; and,
 - (iii) That the applicant prepare and implement a stormwater management plan for the subject property. The approved plan shall address stormwater quantity and quality issues and ensure that current Provincial drainage and stormwater management quality guidelines are implemented; and,
- (j) That the 5.18m road widening on West 5th Street, shown as Block 42, be dedicated to the Region of Hamilton-Wentworth for road widening purposes on the final plan; and,

- (k) That the final plan incorporate the lands originally shown as Blocks 41 and 42, into Street "A" to the satisfaction of the Manager, Development Engineering Section, Regional Environment Department; and,
- (l) That a 1m by 1m daylight triangle road widening be established at the intersection of Street "A" and West 5th Street from Lot 1; and,
- (m) That a minimum 4m by 4m daylight triangle road widening be established on Lots 17 and 25 at the L-shape bend in the road on Street "A" and Street "B" to accommodate the off tracking of vehicles through the 90 degree bend in the 18.0m road allowance; and,
- (n) That prior to the final approval of 18m road rights-of-ways for the new "public street" to West 5th Street and Streets "A" and "B", the applicant/owner must provide written confirmation from all the respective Utility Companies that their facilities can be accommodated within the 18m right-of-way while still maintaining the standard municipal roadway cross section and municipal sidewalk locations. The owner will provide and pay for permanent conduit as required for various utilities due to the reduced road allowance width; and,
- (o) That the owner be required to pay for the entire construction of Street "A" from West 5th Street easterly; and,
- (p) That the owner be required to pay for their share of costs for the establishment and construction of the neighbourhood street adjacent to the north limit of the subdivision which are not covered by the draft plan condition on lands to the north; and,
- (q) The outside corner street radius on Street "A" should be decreased from 21.5m to 15m; and,
- (r) That a 2m by 2m daylight triangle be established at the corner of Street "B" and the "public street" to West 5th Street from Lot 16; and,
- (s) That the applicant/owner provide the future replacement of Street "A" from Street "B" to West 5th Street with a walkway. This includes curb/street removal, landscaping and the curb alterations required at the intersections of Street "B" and Street "A" and Street "A" and West Fifth Street; and,

- (t) That the owner grant the City temporary right-of-way over Lots 9, 24, 32 and 33 in order to construct the standard 9m radius turning circles and provide a minimum of 6m behind the turning circle for snow storage, the construction of temporary drainage facilities and the temporary location of utilities, as required; and,
 - (u) That the owner agree not to request Building Permits for Lots 9, 24, 32 and 33 until such time as the temporary cul-de-sacs have been removed and a permanent street has been constructed adjacent to these lots to the satisfaction of the City of Hamilton; and,
 - (v) That the owner establish and convey a .30m reserve, along the south side of Street "A" to the City of Hamilton on the final plan for the purposes of access control; and,
 - (w) That the removal of any trees within the West 5th Street road allowance or on City lands to the north be subject to the approval and to the satisfaction and requirements of the Forestry Section of the City of Hamilton Department of Public Works and Traffic; and,
 - (x) That the owner provide and implement a Landscape and Tree Preservation Plan to the satisfaction of the Regional Environment Department; and,
 - (y) That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton prior to development of any portion of these lands.
- B. That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-98003), Valery Construction Company Ltd., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,
- C. That the conditions of draft plan approval, as contained in Section 2 of the THIRTEENTH Report of the Planning and Development Committee for 1998, applicable to the previous plan of subdivision dated March 10, 1998, as approved by City Council, attached as Appendix "D", be rescinded and replaced with the proposed condition of draft plan approval contained in Section A of this report; and,

- D. That the Municipal Clerk be directed to advise the Regional Commissioner of Environment of Council's decision; and,
- E. That approval be given to Zoning Application 99-06, Valery Construction Company Limited, owner for a change in zoning from "D" (Urban Protected Residential – One and Two Family, etc.) District, modified, to "C" (Urban Protected Residential, etc.) District, modified, for lands located east of West 5th Street and north of Stone Church Road West, known municipally as 965 West 5th Street, in the Kernighan Neighbourhood, as shown on the attached map marked at Appendix "B", on the following basis:

- (a) That Subsection 1.(b) of Zoning By-law No. 98-205 be repealed in its entirety and replaced with the following:

"by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified, those lands comprised in Block "2"; and,

- (b) That Section 2 of Zoning By-law No. 98-205 be repealed in its entirety and replaced with the following:

"2. That the "C" (Urban Protected Residential, etc.) District regulations, as contained in Section 9. of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variances as special requirements:

- (i) That notwithstanding Section 9.(3)(i) of Zoning By-law No. 6593, the following shall apply:

1. A front yard having a depth of not less than 4.5m to the main wall of the dwelling shall be provided and maintained;
2. A front yard having a depth of not less than 6.0m to the garage or carport shall be provided and maintained; and,

- (ii) That notwithstanding Section 9.(4) of Zoning By-law No. 6593, for a corner lot every lot shall have a width of at least 12.0

metres and an area of at least 355.0 square metres within the district.”; and,

- (c) That Schedule “A” of Zoning By-law No. 98-205 be repealed and replaced with a new Schedule “A” in accordance with Sections 1(a) and 1(b) of Zoning By-law No. 98-205, as amended; and,
 - (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1406a and that the subject lands on Zoning District Map W-9B be notated as S-1406a; and,
 - (e) That the Director of Legal Services and Corporate Counsel be directed to prepare a by-law to amend Zoning By-law No. 6593, as amended by Zoning By-law No. 98-205, and Zoning District Map W-9B for presentation to City Council; and,
 - (f) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- F. That upon finalization of the implementing Zoning By-law, the approved Kernighan Neighbourhood Plan be amended to redesignated Blocks “1” and “2” from “Single & Double & Attached Housing” Residential to “Single & Double” Residential and to recognize the revised lotting configuration as shown on the revised draft plan of subdivision. In addition, a notation should be added to the Kernighan Neighbourhood Plan to indicate that Street “A”, between Street “B” and West 5th Street, may be closed to vehicular traffic at some future date when Picino Street is constructed to the north. Street “A” will be retained as a public walkway.

3. Proposed Official Plan Amendment – Heritage Impact Assessment

- A. That approval be given to the proposed Official Plan Amendment, to incorporate provisions in the Official Plan to require a Heritage Impact Assessment where heritage resources are affected by major redevelopment and development proposals, as follows:
- (a) Subsection C.6 - Heritage Resources be amended by including the following new policies:
 - 6.9 A Heritage Impact Assessment may be required by the City for any development or redevelopment, both public and private initiatives, that proposes to erect, demolish or

alter buildings or structures on or adjacent to properties that meet one or more of the following criteria:

- i) The properties are designated under the Ontario Heritage Act or are adjacent to buildings/structures that are designated under the Ontario Heritage Act;
 - ii) The buildings/structures are listed on the City's Inventory of Buildings of Architectural and/or Historical Interest or are adjacent to buildings/structures listed on the City's Inventory of Buildings of Architectural and/or Historical Interest;
 - iii) The site has or is adjacent to a site that has open spaces, vistas or cultural heritage landscapes that are listed on the Cultural Landscape Resources Inventory approved by the Local Architectural Conservation Advisory Committee (LACAC); or,
 - iv) The properties are within or adjacent to a Heritage Conservation District.
- 6.10 The Heritage Impact Assessment will be processed simultaneously with the development or building permit applications when submitted to the City. The Heritage Impact Assessment will be reviewed by the Local Architectural Conservation Advisory Committee (LACAC) and any decisions will be delayed until such time as the review is completed by LACAC.
- 6.11 The Heritage Impact Assessment will contain the information detailed in the Heritage Impact Assessment Guidelines. These guidelines will be approved by City Council and any amendments to the Guidelines will require Council approval.
- 6.12 Where an environmental assessment for a proposal is processed under federal or provincial environmental assessment regulations, that assessment will be considered as fulfilling the Heritage Impact Assessment under policy 6.9, provided a professional assessment of the architectural, historical, archaeological and/or landscape value is included.; and,

- (b) That the General Manager of the Community Planning and Development Division be authorized and directed to prepare a by-law, to the satisfaction of the Director of Legal Services and Corporate Counsel, for submission to the Region of Hamilton-Wentworth.
 - B. That the Heritage Impact Assessment Guidelines, attached as Appendix "E", be adopted by City Council.
4. **Amendment to the Approved Fessenden Neighbourhood Plan - Proposed Deletion of Walkway between Forestgate Drive and Wendover Drive**
- (a) That the Approved Fessenden Neighbourhood Plan be amended by deleting the walkway located between Forestgate Drive and Wendover Drive, as shown on the attached Appendix "F"; and,
 - (b) That the closure and disposal of the walkway located between Forestgate Drive and Wendover Drive in the Fessenden Neighbourhood, as shown on the attached Appendix "F", be referred to the Transport and Environment Committee for implementation.
5. **Tax Incentive Program for Designated Heritage Buildings in the Downtown**
- (a) That approval be given for a Tax Incentive Program, as outlined in Appendix "G", for commercial/industrial buildings designated under the Ontario Heritage Act which are located within the Hamilton Downtown Community Improvement Project Area which would pay for that part of the cost of rehabilitating such buildings by means of an annual rebate for the five-year period following completion of such work; and,
 - (b) That the Downtown Hamilton Community Improvement Plan be amended to include the said Tax Incentive Program and that Community Planning and Development Division Staff be authorized to take the steps required to give Public Notice of the proposed amendment and to arrange the Public Meeting to be held with the Planning and Development Committee in accordance with the Planning Act's requirements for amending the Hamilton Downtown Community Improvement Plan; and,

- (c) That the Director of Legal Services and Corporate Counsel be directed to prepare a By-law for presentation to City Council to adopt the said amendment and subsequently submit an application to the Minister of Municipal Affairs to approve the said By-law, including the provision of the said bonus rebates to the commercial landowners.

6. Comments on Proposed Rezoning and Official Plan Amendment, Southwest Corner of Rymal Road and Swayze Road, Township of Glanbrook

- (a) That the Municipal Clerk advise the Township of Glanbrook and the Region of Hamilton-Wentworth that the City of Hamilton does not support the proposed rezoning and Official Plan Amendment at Rymal Road and Swayze Road, as shown on the attached map marked Appendix "H", for the following reasons:
 - (i) the proposal will undermine the viability of lands presently designated for Commercial as established by the City of Hamilton Official Plan; and,
 - (ii) the supporting background documentation on market assessment/demand has overstated future commercial demand; and,
 - (iii) the proposal appears to be in conflict with Policy H.1.2 of the Glanbrook Official Plan; and,
- (b) That the report of the General Manager, Community Planning and Development Division, dated March 15, 1999, as presented to the Planning and Development Committee at its meeting held April 7, 1999 respecting comments on the Proposed Rezoning and Official Plan Amendment at Rymal Road and Swayze Road, be forwarded to the Township of Glanbrook for consideration at the Public Meeting to be held on Monday, April 26, 1999.

7. Authorization for Staff Attendance at an Ontario Municipal Board Hearing - 125 Longwood Road North

That the appropriate Staff (e.g. Legal Services and Corporate Counsel, Planning and Development Department) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-98:254, respecting the property located at No. 125 Longwood Road North, as shown on attached map marked as Appendix "I".

8. Authorization for Staff Attendance at an Ontario Municipal Board Hearing - 2803 King Street East

That the appropriate Staff (e.g. Legal Services and Corporate Counsel, Planning and Development Department) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-98:237, respecting the property located at No. 2803 King Street East, as shown on attached map marked as Appendix "J".

9. Bill

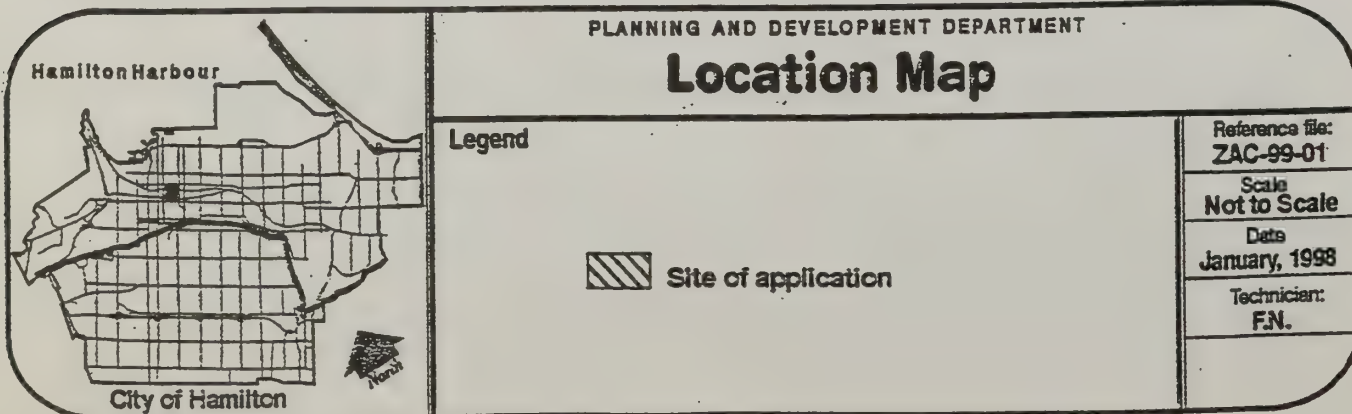
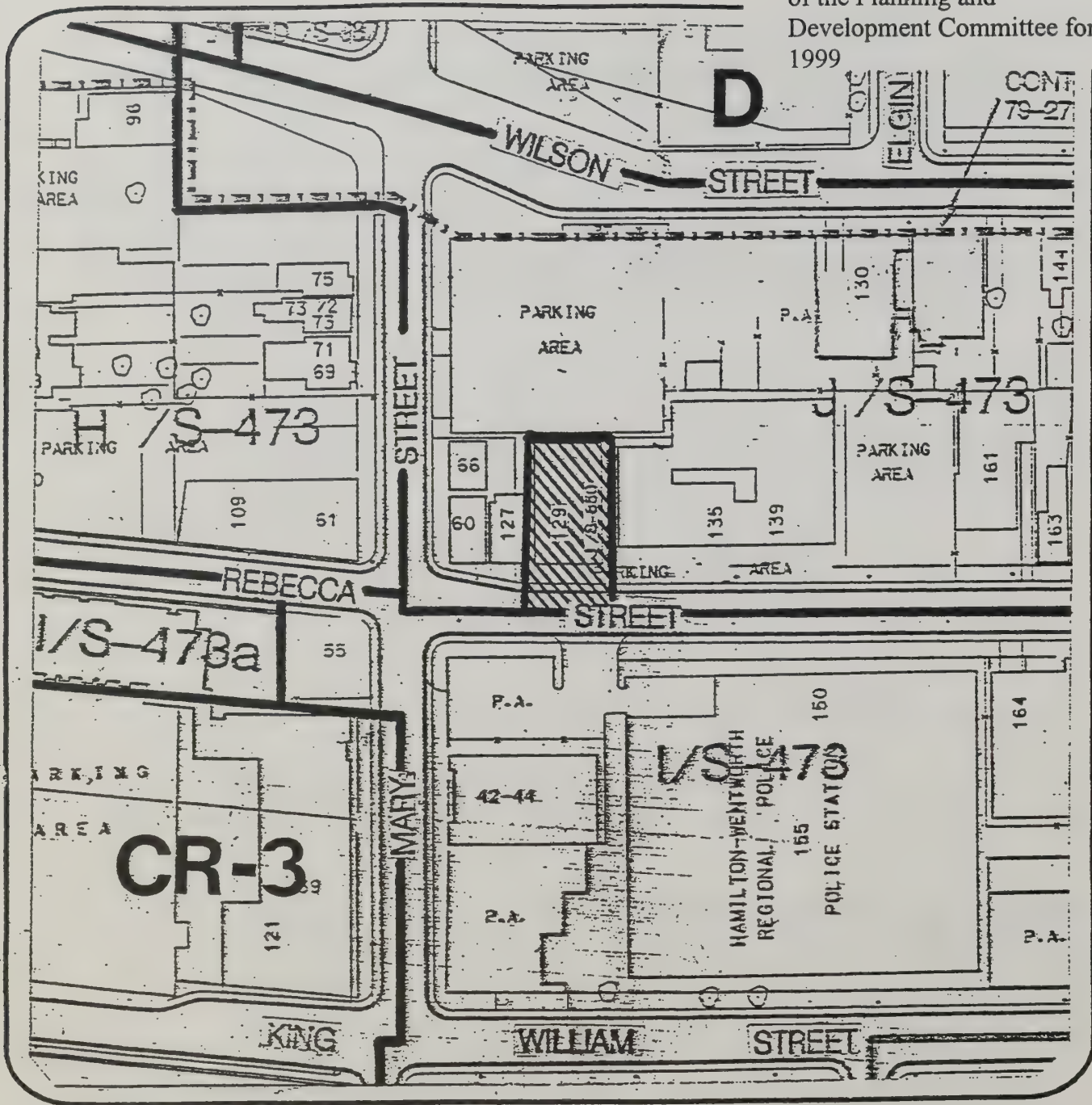
That the following Bill be adopted, signed, sealed and enrolled as a By-law:

- (a) C-17 A By-law to Amend Zoning By-law No. 6593, as amended by Zoning By-law No. 96-124 respecting lands located at Municipal Nos. 775 and 779 Upper Wentworth Street

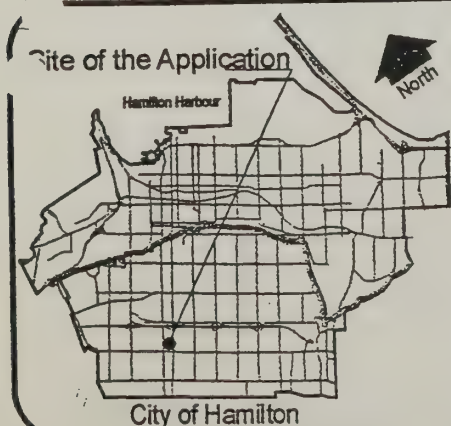
Respectfully submitted,

**ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE**

**Charlene Touzel, Acting Secretary
April 7, 1999**



Appendix "B" as referred to in
Section 2.A. and 2.E. of the
NINTH Report of the Planning
and Development Committee
for 1999



Location Map

Reference file:
ZAC-99-06

Scale
Not to Scale

Date
March, 1999

Technician:
B. B.



April 13, 1999

Appendix "D" as referred to in
Section 2.C. of the NINTH
Report of the Planning and
Development Committee for
1999



City of
HAMILTON

71 Main Street West, Hamilton, Ontario, L8P 4Y5
Tel. (905) 546-2700 / Fax (905) 546-2095

1998 July 2

Mr. J. D. Thoms
Commissioner of Planning and Development
Planning and Development Department
The Regional Municipality of Hamilton-Wentworth
P.O. Box 910
Hamilton, Ontario
L8N 3V9

Dear Sir:

Re: ZAC-98-13 and SA-98-01 "Woodland Meadows", lands east of West 5th Street and north of Stone Church Road West

Council at its meeting of 1998 June 30 approved section 2 of the Thirteenth Report of the Planning and Development Committee as follows:

- 2.A. (a) That approval be given to Revised Subdivision Application 98-01 (Regional File No. 25T-98003), Valery Construction Company Limited, owner, to establish a draft plan of subdivision "Woodland Meadows", for lands east of West 5th Street and north of Stone Church Road West, comprising of 18 lots for single family dwellings, 8 lots for semi-detached dwellings, 5 blocks for street townhouses, 1 block being a 0.30 m reserve, 1 block for road widening purposes and 2 streets identified as Streets "A" and "B", as shown on the attached map marked as Appendix "C", subject to the following conditions:
- (i) That this approval apply to the plan, as revised in red, prepared by Planning and Engineering Initiatives Ltd. and certified by J.P. Wooley, O.L.S. dated March 10, 1998, showing 18 lots for single detached dwellings, 8 lots for semi-detached dwellings, 5 blocks for townhouse units, 1 block being a 0.30 m reserve, 1 block for road widening purposes and 2 streets identified as Streets "A" and "B", attached as Appendix "D"; and,

- 2 -

- (ii) That the proposed streets be named from the City of Hamilton reserved street name list to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth; and,
- (iii) That the owner prepare and submit, to the satisfaction of the Director of Planning and Development, a municipal street numbering plan; and,
- (iv) That the final plan conform with the Zoning By-law approved under the Planning Act; and,
- (v) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan; and,
- (vi) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton; and,
- (vii) That the Owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes; and,
- (viii) That the Owner satisfy the following conditions to the satisfaction of the Hamilton Region Conservation Authority and the Manager, Development Engineering, Regional Environment Department:
 - 1. That the Owner prepare and implement an erosion and sediment control plan for the subject property. The approved plan should include the following requirements and notes:
 - a. All erosion and sediment control measures shall be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been revegetated; and,
 - b. All erosion and sediment control measures shall be inspected after each rainfall and maintained to the satisfaction of the Authority Engineer; and,
 - c. Any disturbed area not scheduled for further construction within 45 days shall be provided with a suitable temporary mulch and seed cover within 7 days of the completion of that particular phase of construction; and,

- 3 -

- d. All disturbed areas shall be revegetated with permanent cover immediately following completion of construction.
- 2. That the requirements of the approved erosion and sediment control plan be included within the Subdivision Agreement for this property; and,
 - (ix) That the 5.18m road widening on West 5th Street, shown as Block 33, be dedicated to the Region of Hamilton-Wentworth for road widening purposes on the final plan; and,
 - (x) That Block 32 be removed and established as Street "A" on the final plan; and,
 - (xi) That the Owner agree to include the following clause in a registered portion of the subdivision agreement, to be registered on title of all lots within the plan of subdivision abutting West 5th Street and that the owner ensure that warning clauses are included on all offers of purchase and sale and reservation agreements to the satisfaction of the Director of Planning and Development and the City Solicitor:

Purchasers are advised that noise levels originating from West 5th Street may become of concern, occasionally interfering with some activities of the occupant.

- (xii) That the Owner agree to include the following clause in a registered portion of the subdivision agreement, to be registered on title of all Lots and Blocks within the subdivision and that the owner ensure that warning clauses are included on all offers of purchase and sale and reservation agreements to the satisfaction of the Director of Planning and Development and the City Solicitor:

Purchasers are advised that Street "A", between Street "B" and West 5th Street, may be closed to vehicular traffic at some future date when Picino Street is constructed to the north. Street "A" will be retained as a public walkway.

- (xiii) That a 1m by 1m daylight triangle road widening be established at the intersection of the "public street" and West 5th Street from Lot 1; and,

- 4 -

- (xiv) That a minimum 4m by 4m daylight triangle road widening be established on Lot 15 and 26 at the L-shape bend in the road on Street "A" and Street "B" to accommodate the off tracking of vehicles through the 90 degree bend in the 18.0m road allowance; and,
- (xv) That a 2m by 2m daylight triangle be established at the corner of Street "B" and the "public street" to West 5th Street from Block 14; and,
- (xvi) That prior to the final approval of 18m road rights-of-ways for the new "public street" to West 5th Street and Streets "A" and "B", the applicant/owner must provide written confirmation from all the respective Utility Companies that their facilities can be accommodated within the 18m right-of-way while still maintaining the standard municipal roadway cross section and municipal sidewalk locations. The owner will provide and pay for permanent conduit as required for various utilities due to the reduced road allowance width; and,
- (xvii) That the owner be required to pay for the entire construction of Street "A" from West 5th Street easterly; and,
- (xviii) The outside corner street radius on Street "A" should be decreased from 21.5m to 15m; and,
- (xix) That the applicant/owner provide the future replacement of Street "A" from Street "B" to West 5th Street with a walkway. This includes curb/street removal, landscaping and the curb alterations required at the intersections of Street "B" and Street "A" and Street "A" and West Fifth Street; and,
- (xx) That the owner establish and convey a .30m reserve, shown as Block 32, along the south side of Street "A" to the City of Hamilton on the final plan for the purposes of access control; and,
- (xxi) That the Owner provide and implement a Landscape and Tree Preservation Plan to the satisfaction of the Commissioner, Regional Environment Department; and,

- 5 -

- (xxii) That the owner grant the City temporary right-of-way over Lots 9, 20, 21 and 31 in order to construct the standard 9m radius turning circles and provide a minimum of 6m behind the turning circle for snow storage, the construction of temporary drainage facilities and the temporary location of Utilities, as required; and,
- (xxiii) That the owner agree not to request Building Permits for Lots 9, 20, 21 and 31 until such time as the temporary cul-de-sacs have been removed and a permanent street has been constructed adjacent to these lots to the satisfaction of the City of Hamilton; and,
- (xxiv) That the Owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton prior to development of any portion of these lands; and,
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-98003), Valery Construction Company Ltd., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,
- (c) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision.

B. That approval be given to Amended Zoning Application 98-13, Valery Construction Company Limited, owner, for changes in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block "1") and from "AA" (Agricultural) District to "D" (Urban Protected Residential - One and Two Family, etc.) District (Block "2") for lands located east of West 5th Street and north of Stone Church Road West, as shown on the attached map marked as Appendix "C", on the following basis:

- (a) That Block "1" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,
- (b) That Block "2" be rezoned from "AA" (Agricultural) District to "D" (Urban Protected Residential - One and Two Family, etc.) District; and,

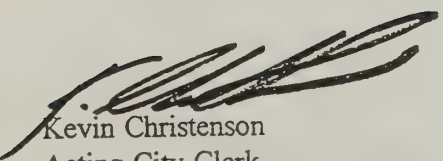
- 6 -

- (c) That the "D" (Urban Protected Residential - One and Two Family District, etc.) District regulations, as contained in Section 10. of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 10.(1) of Zoning By-law No. 6593, only the following uses shall be permitted:
 - 1. not less than 10 single family dwellings; and,
 - 2. not more than 8 two-family dwellings; and,
 - 3. not more than 16 street townhouse dwelling units subject to the "RT-30" District provisions of Section 10F.
 - (ii) That notwithstanding Section 10.(3)(i) of Zoning By-law No. 6593, the following shall apply:
 - 1) A front yard having a depth of not less than 4.5 m to the main wall of the dwelling shall be provided and maintained; and,
 - 2) A front yard having a depth of not less than 6.0 m to the garage or carport shall be provided and maintained; and,
 - (iii) That notwithstanding Section 10F.(9) of Zoning By-law No. 6593, for a townhouse dwelling not more than four single family dwelling units shall be attached in a continuous row; and,
 - (iv) That notwithstanding Section 10F.(4)(a) of Zoning By-law No. 6593, the following shall apply:
 - 1) A front yard having a depth of not less than 4.5 m to the main wall of the dwelling shall be provided and maintained; and,
 - 2) A front yard having a depth of not less than 6.0 m to the garage or carport shall be provided and maintained; and,
- (d) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S - 1406, and that the Block "2" on Zoning District Map W-9C be notated S - 1406; and,

- 7 -

- (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9C for presentation to City Council; and,
- (f) That Site Plan Control By-law No. 79-275, as amended by By-law 87-233, be amended by adding the lands identified as Blocks "1" and "2" to Schedule "A", including single family and two family dwellings; and,
- (g) That the City Solicitor be directed to prepare a By-law to amend By-law 79-275 to place the lands identified as Blocks "1" and "2", including single family and two family dwellings under Site Plan Control; and,
- (h) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and,
- (i) That upon finalization of the implementing Zoning By-law, the approved Kernighan Neighbourhood Plan be amended to redesignate Blocks "1" and "2" from "Civic & Other Institutional" and "Utilities" to "Single & Double & Attached Housing" Residential and to recognize the road pattern and lotting configuration as shown on the revised draft plan of subdivision. In addition, a notation should be added to the Kernighan Neighbourhood Plan to indicate that Street "A", between Street "B" and West 5th Street, may be closed to vehicular traffic at some future date when Picino Street is constructed to the north. Street "A" will be retained as a public walkway.

Yours Truly

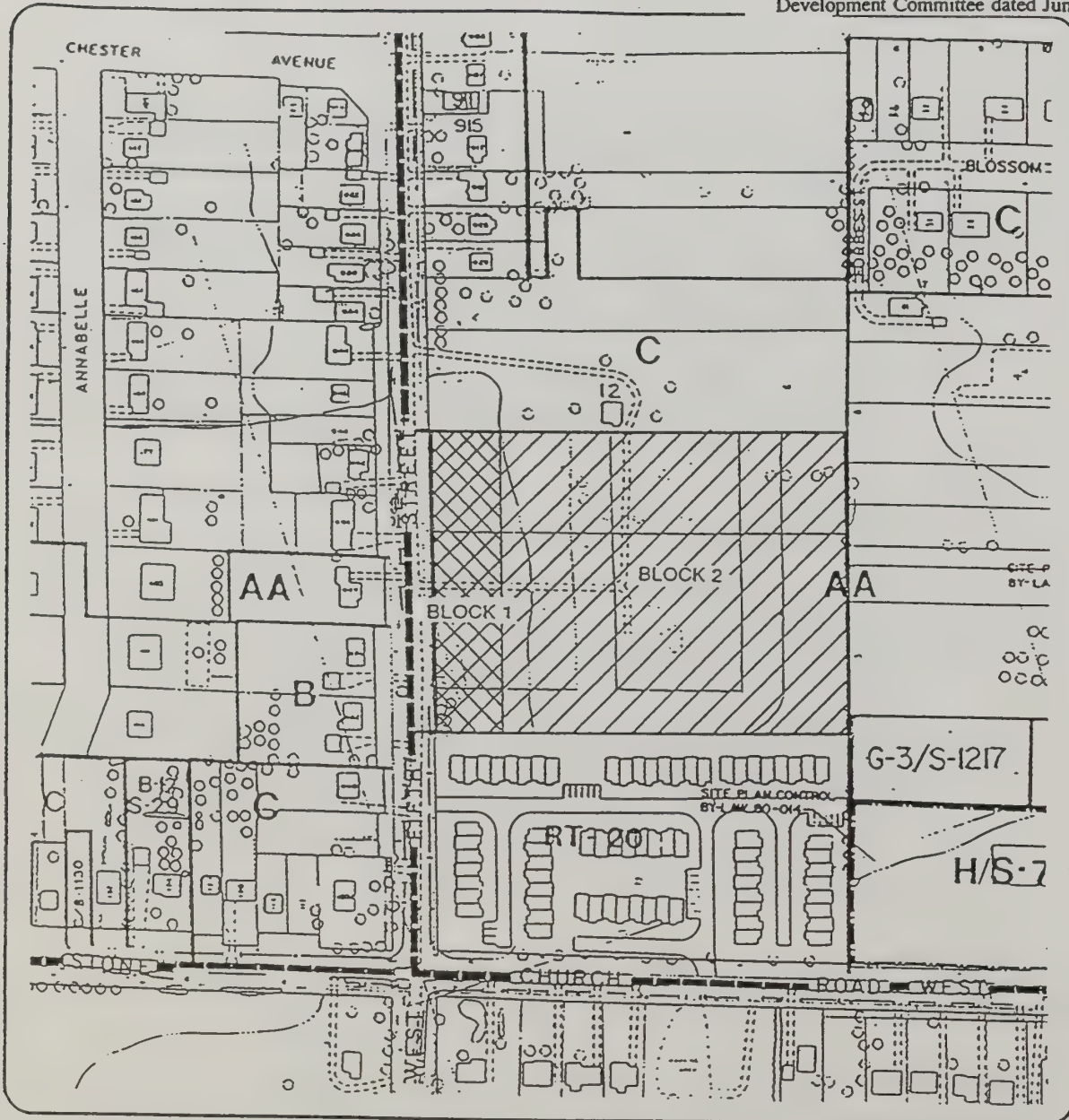


Kevin Christenson
Acting City Clerk

attach.

cc  Victor Abraham, Director
Planning and Development Department

Appendix "C" as referred to
in Section 2 A (a) & 2 B of the
Thirteenth Report of the Planning and
Development Committee dated June 30



Legend

- BLOCK 1** Change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.
- BLOCK 2** Change in zoning from "AA" (Agricultural) District to "D" (Urban Protected Residential - One and Two Family, etc.) District, modified.

City of Hamilton

-Location Map

Planning and Development Department.

North



Scale
NOT TO SCALE

Reference File number
ZAC 98-13

Date
June 1998

Drawn By
R.L.



Heritage Impact Assessment Guidelines

WHAT IS A HERITAGE IMPACT ASSESSMENT?

A Heritage Impact Assessment is a study that identifies potential impacts of redevelopment/development on heritage resources in a particular location. The goal of the Plan is to identify those resources which will be impacted and provide mitigative measures that would minimize impacts on such resources.

UNDER WHAT CIRCUMSTANCES ARE HERITAGE IMPACT ASSESSMENTS REQUIRED?

In cases of plans of subdivision, severance, official plan amendments, rezoning, site plan, where a property contains:

1. The properties are designated under the Ontario Heritage Act or are adjacent to buildings/structures that are designated under the Ontario Heritage Act;
2. The buildings/structures are listed on the City's Inventory of Buildings of Architectural and/or Historical Interest or are adjacent to buildings/structures listed on the City's Inventory of Buildings of Architectural and/or Historical Interest;
3. The site has or is adjacent to a site that has open spaces, vistas or cultural heritage landscapes that are listed on the Cultural Heritage Landscape Resources Inventory approved by the Local Architectural Conservation Advisory Committee (LACAC); or,
4. The properties are within or adjacent to a Heritage Conservation District

then the owner/developer may be required to submit a Heritage Impact Assessment for review and comment by the Community Planning and Development Division. The necessity of the Heritage Impact Assessment will depend on the magnitude of impact on the heritage resources.

This Heritage Impact Assessment will be done prior to or in conjunction with the approvals required for the plan of subdivisions. In this regard, any conditions that may be imposed, can be done through the conditions of approval for the development applications

HOW DOES THE HERITAGE IMPACT ASSESSMENT FIT INTO THE PLANNING PROCESS?

APPENDIX "A-1" graphically illustrates how the Heritage Impact Assessment fits into the planning process. Every effort will be made by the Community Planning and Development Division to ensure the property owner/developer is aware of the heritage resources on or adjacent to the property and whether or not an assessment is required. Staff will meet with the proponents to talk about their particular property.

The Heritage Impact Assessment process is similar to other studies where additional information is required to be supplied by the proponent before a decision on the development applications can be rendered. As the applications are being processed the appropriate staff will process the Heritage Impact Assessment which includes receiving input from LACAC.

If changes are required to the plan/building etc., then additional time may be required. The comments on the Heritage Impact Assessment will form part of the report to the Planning and Development Committee/Committee of Adjustment on the development application.

WHO REVIEWS A HERITAGE IMPACT ASSESSMENT ?

The Heritage Impact Assessment is not approved in a formal sense (i.e. Planning and Development Committee). A report on the Heritage Impact Assessment will be prepared by the staff of the Community Planning and Development Division and then presented to LACAC for their review. If there are conditions to be applied to the development proposal, they will be incorporated into the Planning report presented to the Planning and Development Committee.

If the proponent does not agree with the staff comments on the Heritage Impact Assessment, then he/she will have an opportunity to present his/her views to the Planning and Development Committee

WHAT INFORMATION IS REQUIRED FOR A HERITAGE IMPACT ASSESSMENT?

A Heritage Impact Assessment is to be prepared by a person qualified as a professional heritage consultant. Similar to planners, heritage consultants are members of a professional organization called the Canadian Association of Professional Heritage consultants.

As part of the Heritage Impact Assessment, the heritage consultant will be required to address the "*Eight Guiding Principles in the Conservation of Historic Properties*", prepared by the Ontario Ministry of Citizenship, Culture and Recreation.

"The guiding principles are ministry statements in conservation of historic properties and are based on international charters which have been established over a century. These principles provide the basis for all decisions concerning good practice in architectural conservation around the world. Principles explain the "why" of every conservation activity and apply to all heritage properties and their surroundings."

The Assessment will include:

1. Identification and evaluation of the heritage resources including the completion of a detailed occupational and site biography;
2. Photographic and/or measured drawings of the heritage resources in the context of their setting;
3. Explanation of how the proposal may impact on the heritage resources
4. Identification of several conservation options taking into account the significance of the heritage feature itself, the context of the resource and all applicable municipal, provincial or federal policies regarding heritage matters.

The advantages and disadvantages of ***each conservation option*** (listed below and in order of preference) that preserve the integrity and the value of the resources will be clearly articulated and the preferred option identified. The following list includes conservation options in order of preference:

- a) Avoidance Mitigation: Preservation/Conservation, Adaptive Re-use, Incorporation
- b) Salvage Mitigation: Relocation, Ruinification and symbolic conservation.
- c) Technical recording mitigation: photogrammetry and as found measured drawings.

GLOSSARY

Adaptive re-use: This technique allows for the use of the resource, particularly buildings and structures, for another function. They are often restored or rehabilitated for this function. In the consideration of this option, the significance of the heritage resource must be kept and/or enhanced.

Facadism: This technique allows the exterior of the building to be retained and the interior removed.

Heritage resources include buildings, structures, districts, cultural heritage landscapes, vistas, either individually or in a group that are considered to have historic, archaeological, scenic and architectural significance. These resources also include monuments, archaeological and historic sites

Incorporation: This option allows for all or part of the heritage resource to be included in the redevelopment scheme either through additions to it, or incorporation into a larger building or structure. Generally, the entire building/structure is retained.

Preservation/Conservation: This technique will allow for the retention of the heritage resources without changing it or altering the setting in which it is located.

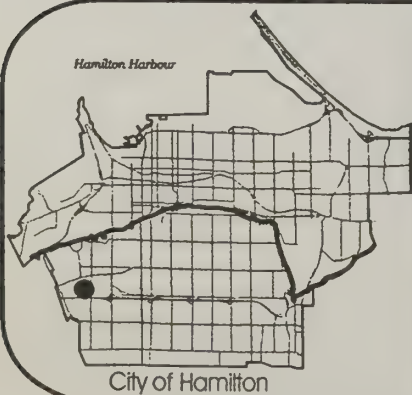
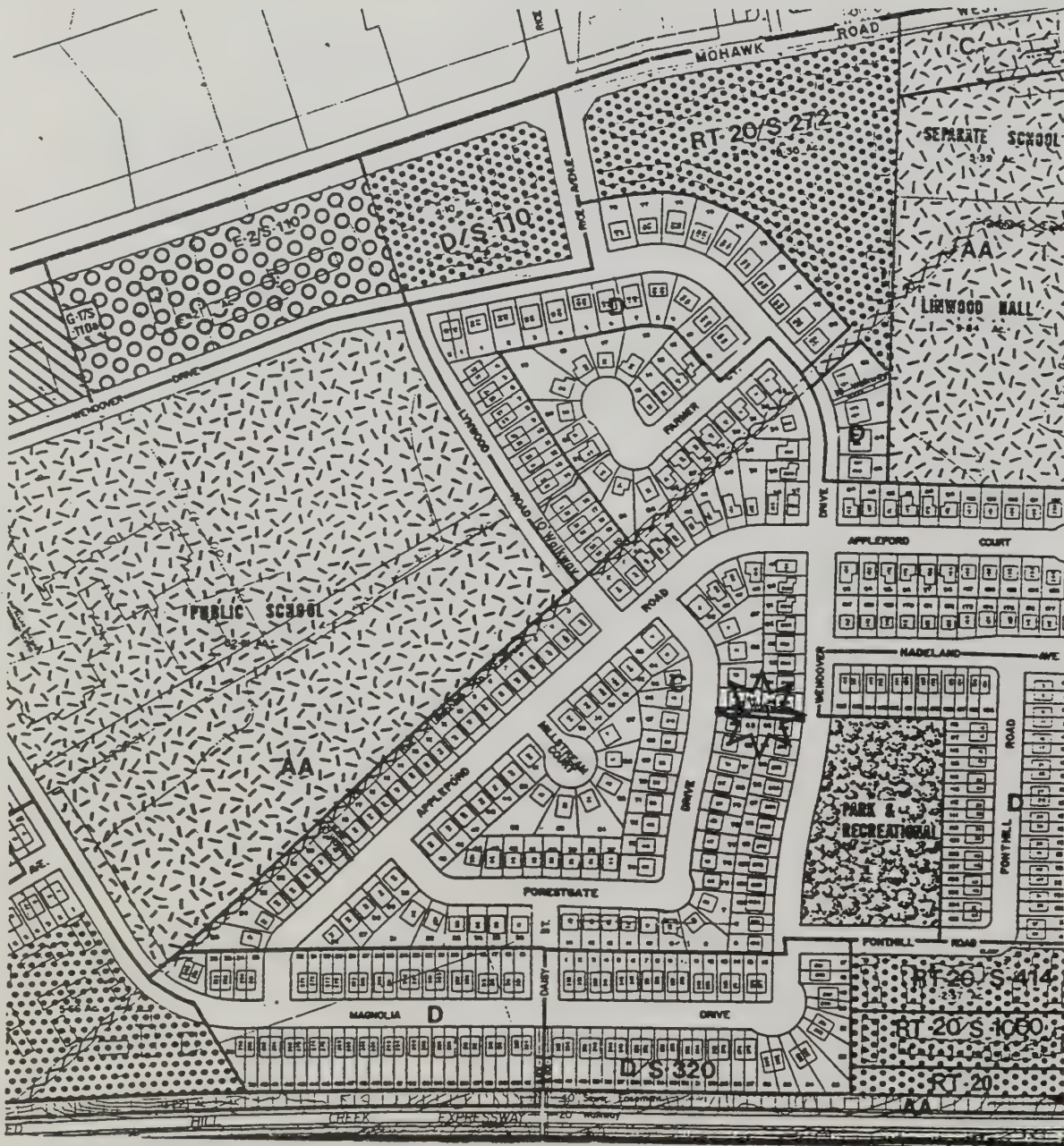
Relocation: This technique involves the removal of the heritage resource to another location/setting.

Ruinification: This technique allows the exterior or portion of it to be retained as a ruin and adapted into the use.

Symbolic conservation: This option allows pieces/parts of the heritage resources to be incorporated into the new buildings/structures or the design of heritage features for the building or structure that replicate the existing heritage resource.

April 13, 1999

Appendix "F" as referred to
in Section 4.(a) and 4.(b) of
the NINTH Report of the
Planning and Development
Committee for 1999



PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend



Proposed Neighbourhood
Plan Amendment to delete
walkway.

Reference file:
PS-2-46

Scale
Not to Scale

Date
Nov. 98

Technician:
K.E.



TAX INCENTIVE PROGRAM FOR DESIGNATED COMMERCIAL/INDUSTRIAL BUILDINGS IN HAMILTON'S DOWNTOWN

Description

The intent of the Tax Incentive Program is to provide an economic catalyst for renovating commercial buildings located within the Hamilton Downtown Community Improvement Project Area, which are designated under the Ontario Heritage Act. The Program establishes a five-year rebate on the increased realty taxes related to the City and the Regional portion of the increase. This increased property assessment is a direct result of the renovation of the building and represents the differential between the pre-renovation assessment and the post-renovation assessment.

Eligibility criteria:

The building must be designated under the Ontario Heritage Act, and has a present or former use as a commercial or industrial building;

The building must be located within the boundaries prescribed in the Hamilton Downtown Community Improvement Plan (Queen Street to Victoria Avenue, Hunter to Cannon Streets);

Application for this tax incentive will only be accepted after final approval of this program; and,

If new construction is added to the historic building as part of the total project, the tax rebate will only apply to the original size of the designated heritage building.

Requirements:

The building would have to be renovated in such a way that would complement the Reasons for Designation, and that a Heritage Permit must be approved by City Council for any alterations to the heritage features identified in the Reasons for Designation;

The property must be insured at replacement value;

The property shall not be in property tax arrears;

The total amount of tax benefit is not to exceed the cost of the work done; rebates will cease when the amount equals the value of the work done; and

The property owner may apply for the Tax Incentive Program at the time a Building Permit is applied for and will sign a Tax Incentive agreement with the City when the impact of the construction to the tax roll is available to the City.

- 2 -

Conditions:

Only the City and Regional portion of the property tax increase is eligible; the percentage of the property taxes paid for education is not eligible.

If a building is sold within this five-year period, the tax incentive will continue with the new owner after the sale of the building;

The property will continue to be eligible for the tax incentive program as long as it is maintained in its rehabilitated condition during the said five-year period;

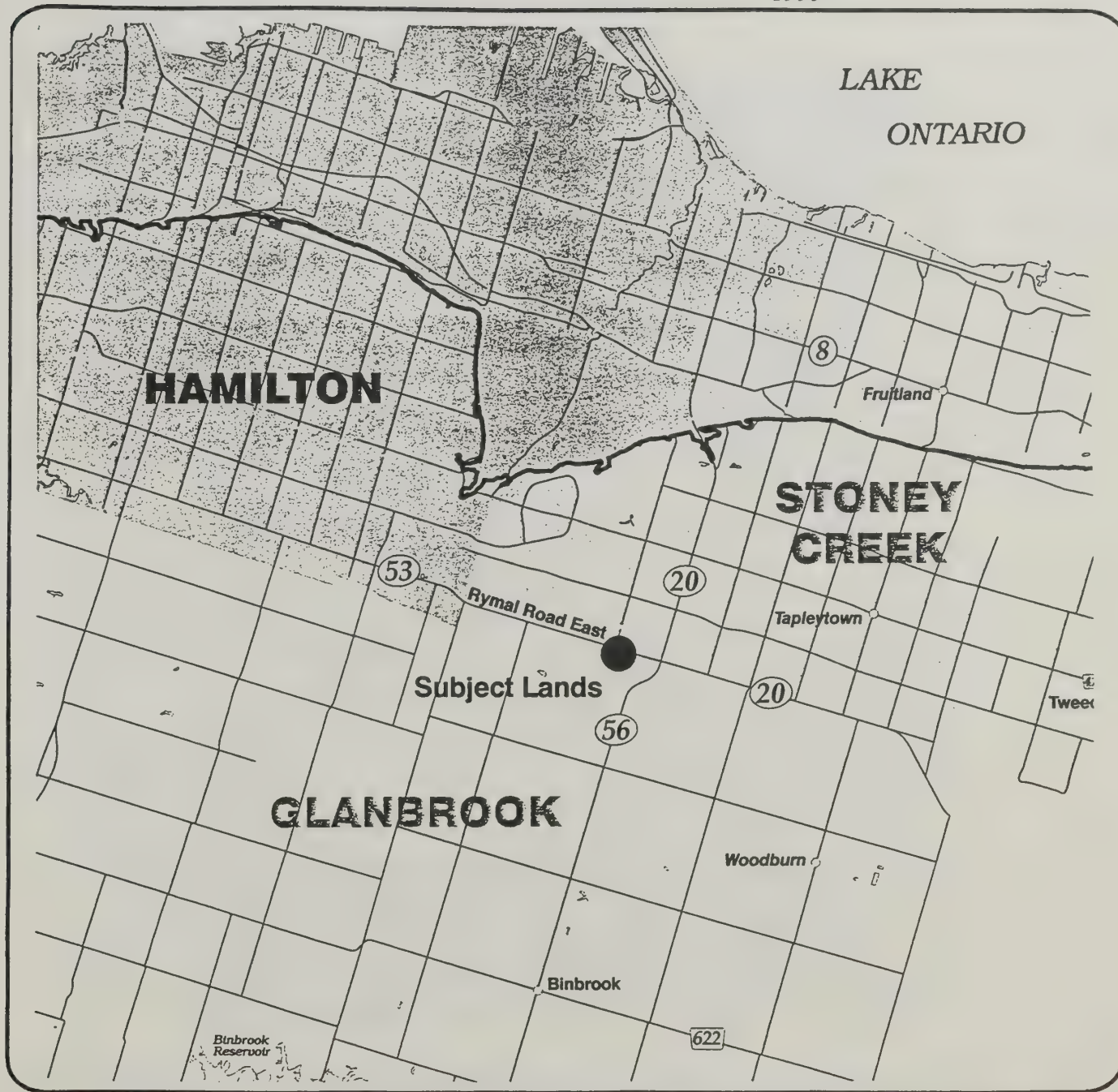
The City may discontinue the Tax Incentive Program at any time; however, participants prior to its closing will continue to receive the rebates, which had been determined for their properties.

Each rebate application will be subject to Council Approval, including the availability of City funds and to such other conditions as Council may require.

The property tax assessment at the time of application will be used to determine the pre-renovation tax. The amount of the property's assessment will be determined by the yearly mill rate.

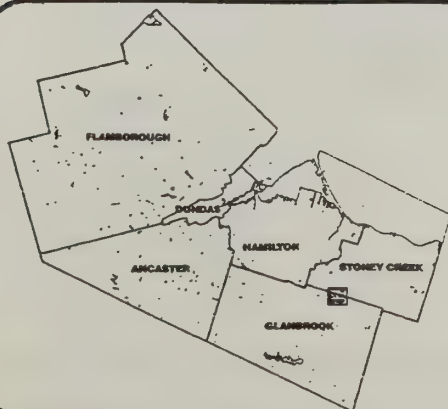
April 13, 1999

Appendix "H" as referred to in
Section 6.(a) of the NINTH
Report of the Planning and
Development Committee for
1999



PLANNING AND DEVELOPMENT DEPARTMENT

Location Map



Subject Lands

Reference file:

Scale
Not to Scale

Date
March, 1999

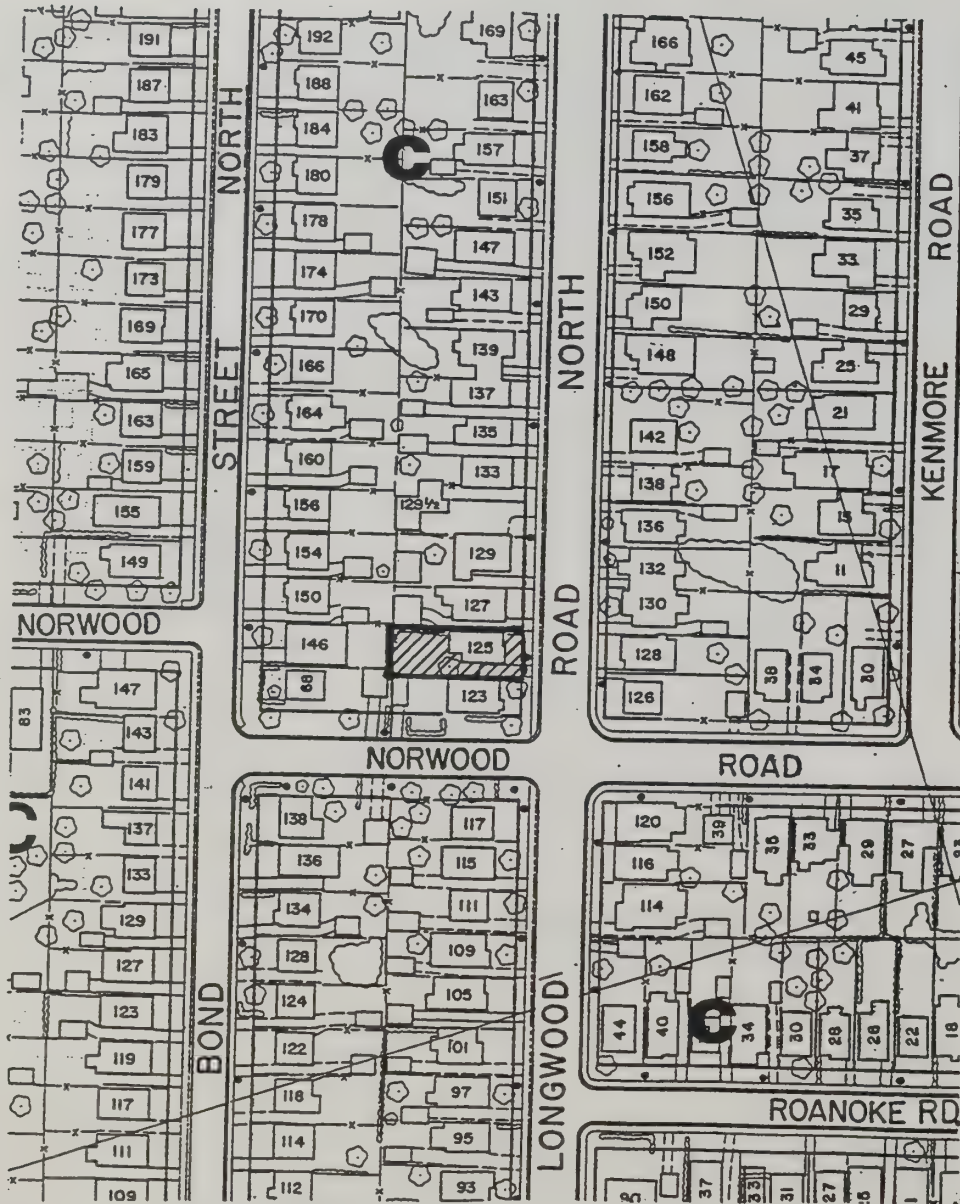
Technician:
D.L.



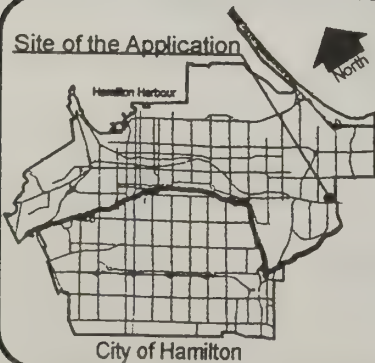
North

April 13, 1999

Appendix "T" as referred to
in Section 7 of the NINTH
Report of the Planning and
Development Committee for
1999



Site of the Application



City of Hamilton

PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend



Site of the Application

Reference file:

A-98:254

Scale

Not to Scale

Date

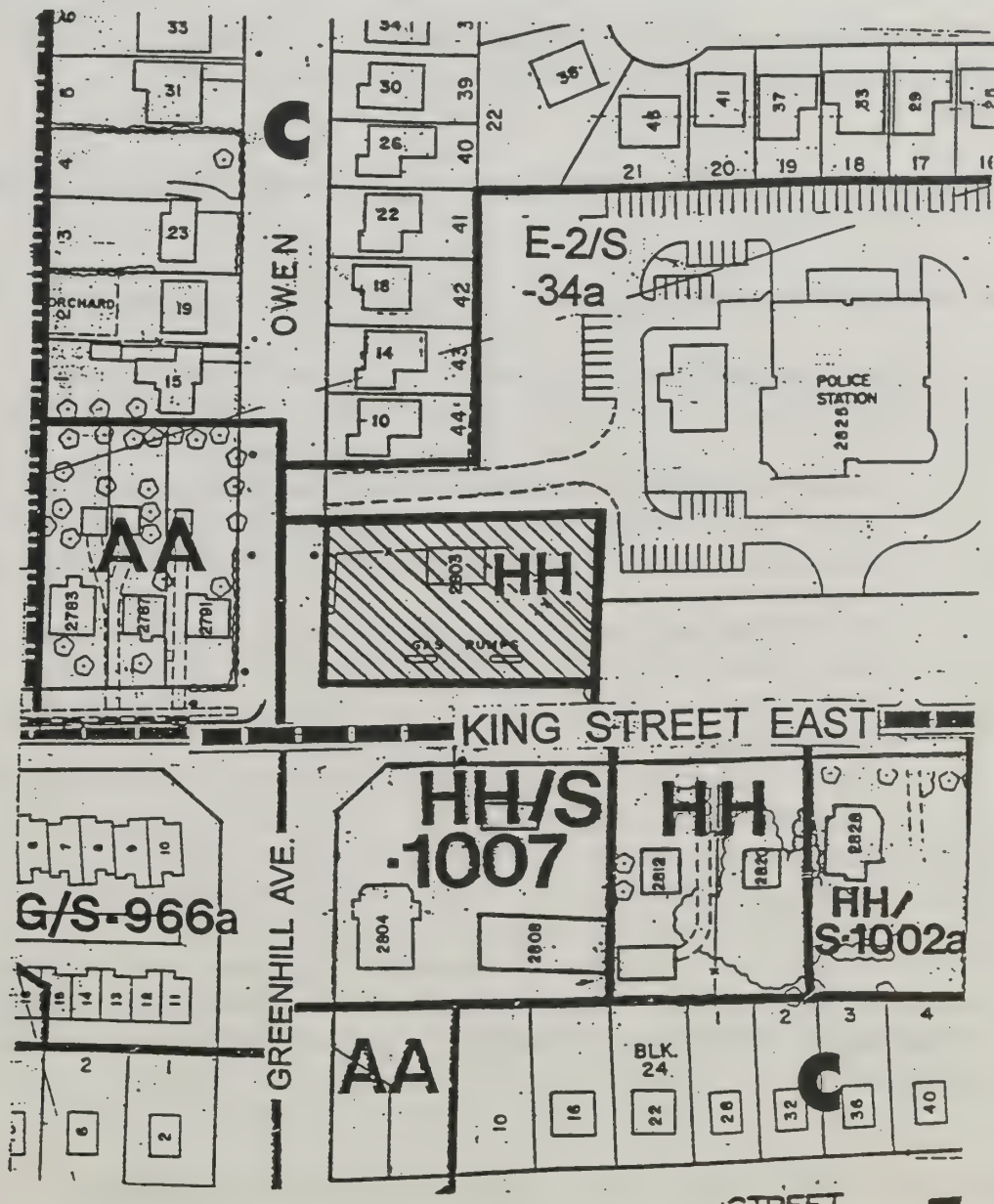
March, 1999

Technician:

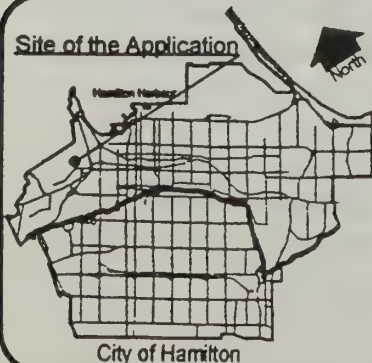
B. B.

April 13, 1999

Appendix J as referred to in
Section 8 of the NINTH Report
of the Planning and
Development Committee for
1999



Site of the Application



PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend



Site of the Application

Reference file:

A-98:237

Scale

Not to Scale

Date

March, 1999

Technician:

B. B.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SEVENTH** Report for 1999 and respectfully recommends:

1. Hydro Restructuring

- (a) That a Hydro Restructuring Steering Committee be established to include:
 - Mayor of the City of Hamilton (Hamilton Hydro Commissioner)
 - Chair from the City Finance and Administration Committee
 - Chair from the Region's Finance and Administrative Services Committee
 - Chair from the Region's Environmental Services Committee
 - Chair from the Region's Economic Development Committee
 - Chair from the City's Transport and Environment Committee
 - City Manager
 - General Manager, Transportation, Operations and Environment (Hamilton Hydro Commissioner)
 - General Manager, Corporate Services
 - Corporate Counsel
- (b) That a Financial and Legal Consultant be retained by the City of Hamilton to report to the Hydro Restructuring Steering Committee at the expense of Hamilton Hydro to develop corporate financial and legal structures.

2. Request to hold the 1999 Ontario Finals Rodeo at Copps Coliseum

- (a) That notwithstanding the City's policy as approved on February 13, 1990, to prohibit the holding of rodeos and wild west shows in all City-owned facilities, that approval be given to J. W. Hill Productions Inc. to hold the 1999 Ontario Finals Rodeo in Hamilton on September 24-26, 1999; and,
- (b) That the Hamilton Society for the Prevention of Cruelty to Animals be in attendance at this event and report back to the Finance and Administration Committee.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Anderson, Kelly, D'Amico, O'Sullivan. – 13.

NAYS: Aldermen Caplan, Horwath. –2.

CARRIED.

3. Property/Taxation Billing and Tracking System Replacement

- (a) That based on the results of the detailed evaluation, Vailtech Inc. be selected as the vendor to provide software and implementation support to replace the existing Property/Taxation billing and tracking system for a total fixed cost of \$270,000 plus applicable taxes; and,
- (b) That the total estimated project cost of \$395,000 be funded as follows:
 - (i) \$349,000 from the approved Capital Budget centre number 259655025
 - (ii) \$ 46,000 from the Reserve for Contingency; and,
- (c) That the City of Hamilton enter into licensing, support and service agreements with Vailtech Inc., for the provision of the software license, implementation support and ongoing maintenance support for VTAX Property, Taxation billing and tracking system; and,
- (d) That the Mayor and Municipal Clerk be authorized and directed to execute licensing, support and service agreements in the form satisfactory to the General Manager, Finance and the Corporate Counsel.

4. Sale of City owned lands – 76 John Street North

- (a) That an Offer to Purchase, duly executed by Cluny Properties Corporation on March 25, 1999 and scheduled to close the earlier of December 31, 1999 or thirty (30) days following receipt by the City of written notice from the Purchaser, for part of Lots 7 and 8, all of Lots 9, 10, 15 and 16, in the block bounded by John Street North, Rebecca Street, Catharine Street and King William Street, being in the unregistered plan of subdivision, Nathaniel Hughson Survey, having a frontage along the easterly limit of John Street North of 63 metres (206.69 feet) more or less, by a depth of 96 metres (315 feet) more or less, along the southerly limit of Rebecca Street and containing an

area of approximately 6,003.7 square metres (64,626 square feet) more or less, being all of the PIN 17167-0016(R), municipally known as 76 John Street North, Hamilton, be approved and completed and the funds derived from this sale of \$1,195,581 be credited to Account Centre CH 00202 (Parking Services Off Street Reserve); and,

- (b) That the required deposit cheque in the amount of \$59,779.05 be held by the General Manager, Finance pending Council approval; and,
- (c) That this Offer to Purchase be conditional on the following:
 - (i) It is understood and agreed that the purchase price is calculated at a rate of \$18.50 per square foot and that the Purchaser shall, at his sole expense, obtain a survey of the subject property signed by and under the seal of an Ontario Land Surveyor in good standing and provide it to the Purchaser at least one (1) month prior to the date of closing. If the survey determines the area of the property to be more or less than 60,895 square feet, the purchase price shall be increased or decreased accordingly. Said survey to show as separate parts those lands that may be reconveyed to the City for road widening purposes namely those portions of the subject lands being the northerly 3.02 metres (9.9 feet) of the subject lands, the easterly 1.41 metres (4.6 feet) of the subject lands, a 5 metre x 5 metres (16.4 feet x 16.4 feet) day light triangle at the north/west corner of the subject land (being the corner of John Street North and Rebecca Street) and a 4 metre x 4 metre (13.12 feet x 13.12 feet) day light triangle at the north/east corner of the subject property (being the corner of Rebecca Street and Catharine Street; and,
 - (ii) The Purchaser being satisfied with all environmental inspections and tests. The Purchaser may enter upon the Property at its own risk at any time and from time to time until closing upon reasonable prior verbal notice to the City, to carry out environmental inspections and/or tests as it deems necessary. The Purchaser covenants and agrees, at its expense, to return the Property to the state and condition it was in immediately prior to any such inspection and/or tests taking place immediately following the completion of such inspections and/or tests. The Purchaser further covenants and agrees to indemnify and save harmless the City from and against any claim, loss, cost, action, demand, liability and cause of action which the City may suffer or incur due to, as a result of or arising out of such inspections or tests; and,

- (iii) Upon Government of Canada acceptance of the Purchaser's submission in response to Request for Qualifications (Solicitation No. PWL-ENPW1-8-K064) and Government of Canada subsequent Request for Proposals, failing which the Purchaser shall give written Notice to the City that it wishes to terminate this Agreement; and,
- (iv) The Transferee shall commence construction of a building as set out in the Purchaser's submission in response to Request for Qualifications (Solicitation No. PWL-ENPW1-8-K064) having a minimum building area of 240,000 square feet upon the said lands by not later than two (2) years following the closing of the herein transaction. Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the City of Hamilton Building Department; and,
- (v) The Transferee shall complete construction of the said building as set out in the Purchaser's submission in response to Request for Qualifications (Solicitation No. PWL-ENPW1-8-K064) not later than two (2) years following the commencement of construction. The building is considered completed upon satisfactory final inspection by the City of Hamilton Building Department; and,
- (vi) No transfer of the said lands shall be made by the Transferee until the Transferor confirms that the covenant in Paragraphs (c)(iv) and (c)(v) have been complied with; and,
- (vii) The Transferee agrees to complete construction of all parking areas, driveways and landscaping on the said lands, at its own expense and to the satisfaction of the Transferor within one year of completion of construction of the building. If at the end of that time the construction has not been completed or is unsatisfactory to the Transferor, then the Transferor shall have the right to enter upon the said lands and complete the construction and the Transferee agrees to reimburse the Transferor for all the costs of completion; and,
- (viii) If the Transferee fails to comply with the conditions in Paragraphs (c)(iv) and (c)(v) within the time required, then the Transferor shall have the right to enter upon the said lands upon thirty (30) days' notice to the Transferee, and any such entry by the Transferor, pursuant to the terms hereof, shall determine the estate of the Transferee in the said lands. Notice of the entry may be registered by the Transferor on title to the said lands; and,

- (ix) Upon such entry by the Transferor, the Transferee at its own cost shall execute and deliver to the Transferor a transfer of the said lands to the Transferor free and clear of all charges, encumbrances, liens, claims, or adverse interests whatsoever, and the Transferor agrees to pay to the Transferee the original purchase price for the said lands, less arrears of realty taxes, interest (including local improvement charges), less amounts required to discharge any mortgages, liens, charges or other encumbrances against the said lands and without increase or compensation for any improvements, additions, alterations in, on or under the said lands; and,
 - (x) Subject to Paragraph (c)(vi), if the Transferee offers all of the said lands for sale or wishes to convey all of the said lands within two (2) years from the date of closing, then the Transferor shall have the right to repurchase all the said lands and any buildings or local improvements located thereon, free and clear of all encumbrances at the original purchase price without interest or improvement, less any amounts required to discharge any mortgages, liens or encumbrances. Such reconveyance is to be made at the cost of the Transferee; and,
 - (xi) The Purchaser covenants and agrees to reconvey to the City for road widening purposes at any time after the closing of the Offer to Purchase immediately upon request of the City, with a repurchase price to be calculated at a rate of \$18.50 per square foot for any and/or all of the land being those portions of the subject lands to be shown as separate parts on a survey plan to be prepared by the Purchaser as set out in the aforementioned Offer to Purchase namely the northerly 3.02 metres (9.9 feet) of the subject lands, the easterly 1.41 metres (4.6 feet) of the subject lands, a 5 metre x 5 metres (16.4 feet x 16.4 feet) day light triangle at the north/west corner of the subject land (being the corner of John Street North and Rebecca Street) and a 4 metre x 4 metre (13.12 feet x 13.12 feet) day light triangle at the north/east corner of the subject property (being the corner of Rebecca Street and Catharine Street, provided that, with its request to reconvey, the City shall submit proof that the road widening will in fact occur forthwith after conveyance; and,
- (b) That the Mayor and Municipal Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the Corporate Counsel; and,

- (c) That the Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (i) satisfactory notice has been given to the public of the intended sale; and,
 - (ii) an appraisal of fair market value of the real property intended to be sold was obtained on April 6, 1999.

5. 1999 Civic Reception – Hamilton International Air Show

- (a) That the City of Hamilton host a Civic Reception – Crew/Volunteer Appreciation Night on June 19, 1999 for the 1999 Hamilton International Air Show, at a cost not to exceed \$5,000; and,
- (b) That the funding for this expenditure be financed from the Special Civic receptions and Delegations Hostings Account No. CH 55314 84010.

6. Establishment of a Sub-Committee for allocating funds from the sale of surplus Freeway Lands

- (a) That a Sub-Committee consisting of the Ward Aldermen of Wards 4, 5 and 6 be established for the purpose of recommending the allocation of funds in the Reserve Account set up from the City's sale of surplus Freeway lands to the Region; and, **AMENDED.**
- (b) That the method of financing for the Delta Secondary School Anniversary Project in the amount of \$60,000 be from the approved 1998 Capital Budget Account for Red Hill Creek Valley expenditures. **AMENDED**

7. Development Charges Study – Authorization to Hire Consultant

- (a) That Marshall Macklin Monaghan Limited be engaged to complete the Development Study for the City of Hamilton, at a total upset limit of \$29,900 plus G.S.T., in accordance with the Terms of Reference attached herewith as Appendix "A"; and,
- (b) That the costs of the Development Charges Study be funded from the Reserve for Development Charges, Account Centre No. CH212.

8. A.M.O. 1999 Annual Conference

That the Mayor, Chairman of the Finance and Administration Committee and five members of City Council be authorized to attend the 1999 Annual Conference of the Association of Municipalities of Ontario being held in Toronto on August 22 – 25, 1999.

9. Amalgamation of Region/City Workplace Safety Insurance Board Accounts

- (a) That all new claims for workplace-related accidents/injuries occurring after March 1, 1999, be reported under the City of Hamilton's Workplace Safety Insurance Board employer number; and,
- (b) That all claims for recurrences of injuries that preceded March 1, 1999 be reported under the account number of the original employer, either City or Region; and,
- (c) That all Workplace Safety Insurance Board invoices related to pensions, Non Economical Loss or Future Economic Loss awards attaching to claims arising prior to March 1, 1999, continue to be administered from the Workplace Safety Insurance Board account of the original accident employer; and,
- (d) That the General Manager, Finance be directed to institute the necessary account reconciliations to give effect to the above.

10. Role of the Hamilton Hydro-Electric Commission in the District Energy System

- (a) That the Hamilton Hydro-Electric Commission (HHEC) be requested to immediately take on the lead role in the Hamilton District Energy System project, with Regional Municipality of Hamilton-Wentworth/City of Hamilton staff continuing their present level of project support. This lead role would include financial support for the project.
- (b) That the General Managers of Community Planning and Development and Corporate Services be authorized and directed to prepare a Request for Proposals (RFP) to invite private sector companies to participate in the district energy system.
- (c) That the RFP be issued through the Hamilton Hydro-Electric Commission.

- (d) That the Regional Municipality of Hamilton-Wentworth and the City of Hamilton continue as partners in this project.
- (e) That the following list of commitments that the City of Hamilton and the Regional Municipality of Hamilton-Wentworth will contribute to the District Energy System be approved:
 - (i) Assist in developing a customer base (marketing to downtown building owners and managers);
 - (ii) Carry out any Class Environmental Assessments, if required;
 - (iii) Commit to a long-term energy load for downtown Municipal buildings;
 - (iv) Allow the use of the Central Utilities Plant;
 - (v) Offer the use of municipal roads, right-of-ways, and other properties for the transmission and distribution system;
 - (vi) Promote and market the use of the District Energy System in the downtown, including new development.

11. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-9 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton

12. 1999 Interim Tax Billing

- (a) That the due dates for the two instalments of 1999 interim taxation billing for properties with multi-residential, commercial and/or industrial assessments and any other properties not yet billed for 1999 interim taxation, be set no earlier than May 31 and June 30, 1999, respectively; and
- (b) That the interim taxation rates and other conditions captured in the January 27, 1999 report be used to compute the taxation liabilities for the billing of this set of properties; and

- (c) That the Director of Legal Services and Corporate Counsel be authorized and directed to prepare the appropriate City of Hamilton By-law(s) and that the By-law(s) be passed and enacted.
- (d) That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-10: A By-law Respecting An Interim Tax Levy.

ADDED.

13. 1999 General Grant Process

- (a) That the Committee of the Whole considers the 1999 General Grant requests which include written presentations only, at a meeting (subject to confirmation) May 6, 1999, 10:00 a.m.; and,
- (b) That all 1999 General Grant applicants are advised of this process; and,
- (c) That the Grants Process Group for processing the grant programs consist of the General Manager, Finance; the General Manager, Community Services Division; and the General Manager, Social and Public Health Services Division and other support staff; and,
- (d) That the 1999 Convention/Reception Grant process continue in a similar fashion to that used in prior years, namely that this remain as a staff administrative process requiring an appropriate application to be completed, adhering to the funding formula of \$4.00 per participant to a maximum level of \$1,500, and payment of any grant funds be upon receipt of a summary report after the event and consistent with the Convention/Reception Grant Policy.
- (e) That the Grants Co-Ordinator report back to the Finance and Administration Committee with a policy which mirrors that used in the Regional Grant Process for implementation by the City in its year 2000 General Grant Process.

ADDED.

Recorded vote on Section 13 as amended.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Mayor Morrow -1.

CARRIED.

April 13, 1999

Respectfully submitted,

**ALDERMAN D. WILSON
CHAIRMAN
FINANCE AND ADMINISTRATION
COMMITTEE**

**Susan K. Reeder
Secretary
April 6, 1999**

CITY OF HAMILTON DEVELOPMENT CHARGE BACKGROUND STUDY

TERMS OF REFERENCE

Purpose

The purpose of the Development Charge Background Study is to prepare a development charge background study for the City of Hamilton in accordance with the requirements of the Development Charges Act, 1997 and regulations thereunder.

Background

The City of Hamilton is a lower-tier municipality within the Regional Municipality of Hamilton-Wentworth. Currently, the City imposes development charges on residential development in accordance with the Development Charges By-law 95-176, as amended.

The Development Charges Act, 1997 came into force and effect on March 1, 1998. Before passing a development charge by-law under that Act, the City is required to complete a development charge background study.

Scope

This Study will involve the following tasks:

1. Completion of a development charge background study in accordance with the requirements set out in the Development Charges Act, 1997 and regulations thereunder. This study will include an evaluation of the long-term capital and operating costs for development.
2. Calculate a development charge (identifying the charge for each service component) based on the costs identified in the development charge background study for:
 - Residential development
 - Non-residential development
 - Various geographical areas

The development charge rates should be calculated on a cash flow basis which considers financing costs.

3. Identify the advantages and disadvantages of differential development charge rates for separate classifications of land.

Meetings

The consultant will be required to:

- attend a half-day orientation meeting with City staff who will be involved with the Study;
- prepare a discussion paper on items 1 to 3 inclusive;
- attend a one-day workshop with City staff to address the discussion paper and to make revisions to the discussion paper as a result of this workshop;
- prepare a Final Report and be responsible for making presentations of the Final Report to Senior Management;
- provide the City with 25 copies of the Final Report which will include an executive summary and recommendations.
- provide the City with master copies of the Final Report suitable for reproduction
- attend the Public Meeting as well as Committee and Council meetings and to respond to questions.

Information to be Supplied by the City of Hamilton

Staff of the City of Hamilton will supply the consultant with the following information:

- incremental growth projections;
- historic service levels;
- existing reserve balances;
- definitions for site specific areas;
- capital cost information;
- copies of final reports related to the last Development Charges Study

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton.

Members of Council

The Mayor presents his **SECOND** Report for 1999 and respectfully recommends:

1. **Canadian Ecumenical Jubilee**

- Whereas:** The start of the millennium should be a time to give new hope to the impoverished people of the world; and
- Whereas:** Unpayable debt to lending nations is presently keeping poor nations poor; and
- Whereas:** It is time to cancel the backlog of unpayable debts of the most impoverished nations; and
- Whereas:** It is time to call upon the leaders of lending nations to write off these debts by the year 2000; and
- Whereas:** We Canadians join the international campaign calling for debt cancellation by promoting the Biblical tradition of Jubilee:

THEREFORE BE IT RESOLVED that the City of Hamilton supports the local participants in the Canadian Ecumenical Jubilee initiative as part of the Jubilee 2000 community that calls on the leaders of the lending nations to cancel the debts of the poorest nations by the year 2000.

ADDED.

Respectfully Submitted

MAYOR R. M. MORROW, CHAIRMAN

April 13, 1999

CAYON HB2 405
421

**URBAN
MUNICIPAL**

Office of the Municipal C

Memorandum

*The Urban/Municipal Collection
2nd Floor
Hamilton Public Library 1*

TO: D. A. Lychak, City Manager
General Managers
Department Heads
Legislative Assistants

URBAN MUNICIPAL

FROM: J. J. Schatz
Municipal Clerk
Office of the Municipal Clerk

MAY 6 1999

PHONE: (905) 546-2727

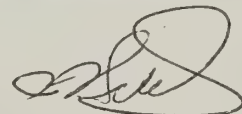
GOVERNMENT DOCUMENTS

DATE: April 30, 1999

SUBJECT: CITY COUNCIL MINUTES
- APRIL 20, 1999

Please be advised that City Council has not adopted the minutes of the special meeting held April 20, 1999.

I have subsequently requested the Director of Legal Services and Corporate Counsel to provide an opinion on the implications of Council's actions and will advise you accordingly.



JJS/dg

c.c.: R. Roszell, Director of Legal Services and Corporate Counsel

April 20, 1999

Minutes of the Special Meeting of City Council
Tuesday, April 20, 1999
4:00 o'clock p.m.
Council Chambers, City Hall

URBAN MUNICIPAL

MAY 6 1999

GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor R. M. Morrow
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, D. Wilson, G. Copps, C. Collins, F. Eisenberger,
T. Jackson, B. Charters, T. Anderson, B. Kelly, F. D'Amico,
D. O'Sullivan.

Mayor R. M. Morrow called the meeting to order.

COMMITTEE OF THE WHOLE – FOURTH REPORT

It was moved by Alderman Kiss and seconded by Alderman Copps that the Fourth Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Copps, Collins,
Eisenberger, Jackson, D'Amico. -9.

NAYS: Aldermen Kelly, O'Sullivan. -2.

CARRIED.

City Council then adjourned at 4:05 o'clock p.m.

Taken as read and approved.

**MAYOR R. M. MORROW,
CHAIRMAN**

J. J. Schatz,
Municipal Clerk
April 20, 1999
JSS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council.

The Committee of the Whole presents its **FOURTH** Report for 1999 and respectfully recommends:

1. 1999 Capital Budget

- (a) That the provision for the City of Hamilton capital levy with specific reference to the "Pay-As-You-Go" policy, be maintained at a two million dollar capital levy in 1999, a three million dollar capital levy in 2000, a four million dollar capital levy in 2001, a five million dollar capital levy in 2002, a six million dollar capital levy in 2003, a seven million dollar capital levy in 2004, an eight million dollar capital levy in 2005, a nine million dollar capital levy in 2006, and a ten million dollar capital levy in 2007 and 2008; and,
- (b) That the total City of Hamilton funding envelope, as outlined in Schedule "A", Section (3), attached herewith, for the years 1999 through 2008 be set at 1999 for \$20.270 million, 2000 for \$24.574 million, 2001 for \$21.861 million and 2002-2008 for \$182.671 million to stay within the guidelines established by the Budget Steering Committee regarding Capital Budget debt charges impact to Current budget for 1999 at 0% and that the debt charges for 2000 to 2008 be established at an increase of 1% annually; and,
- (c) That the City of Hamilton 1999 Capital Budget as outlined on Schedule "B", pages 1 and 2, attached herewith, be approved, as amended at \$20.270 million (net cost).
- (d) That the balance of Capital Projects Page 3 through Page 9 be reviewed by the Senior Management Team for consideration of a Capital Forecast Plan for the year 2000 through 2008 before December 31, 1999; and,
- (e) That the 1999 projects be approved for implementation as outlined on Schedule "B" – Page 1 and 2 – attached herewith, indicating the method of financing, and that the originating Divisional General Managers be directed to proceed with these projects; and,

- (f) That the Corporate Counsel be authorized to prepare the appropriate by-laws for Projects marked "DEB" (Schedule "B" – Page 2 – Column 15) with debenture financing in the total amount of \$9,884,000; and,
- (g) That the Regional Municipality of Hamilton-Wentworth be requested to consent to the issuance of debentures for a term not to exceed ten years as required for the above Projects noted in (f) above, requiring debenture financing for the year 1999.

2. Grant Reduction - Kiwanis Boys and Girls Club

That the grant to the Kiwanis Boys and Girls Club be reduced by 3% from the 1998 level.

3. Grant Reduction - YWCA Seniors Programming

That the grant to the YWCA Seniors Programming be reduced by 3% from the 1998 level.

4. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

F-4 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

Recorded vote on the Report of the Committee of the Whole.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Copps, Collins, Eisenberger, Jackson, D'Amico. -9.

NAYS: Aldermen Kelly, O'Sullivan. -2.

CARRIED.

Respectfully submitted

**MAYOR R. M. MORROW
CHAIRMAN
COMMITTEE OF THE WHOLE**

J. J. Schatz
Municipal Clerk
April 20, 1999

The Corporation of the City of Hamilton
1999-2008 CAPITAL BUDGET - FINANCING PLAN
For Consideration of the Joint City/Region Budget Steering Committee
(Thousands of Dollars)

AMENDED
SCHEDULE "A" as referred to
in Section 1 of the FOURTH Report
of the Committee of the Whole for 1999.

April 20, 1999

NATURE OF FINANCING	Net Cost (Gross Cost less External Revenue)					Reserve Balance 31-Dec-98
	Total	1999	2000	2001	2002-2008	
(1) Capital Budget as Requested	(1)	(2)	(3)	(4)	(5)	(6)
Reserves and Reserve Funds:						(7)
Reserve for Capital Project	1,440	420	220	100	700	1,494
Reserve for Development Charges	18,242	850	790	805	15,797	4,938
Reserve for Property Purchase	1,800		200	200	1,400	4,434
Reserve for Red Hill Creek Development	2,465	600	600	600	665	2,599
Reserve for City's Share of Unsubdivided Land	5,950	800	500	550	4,100	2,014
Reserve for 5% Park Dedication	5,400	400	300	300	4,400	(189)
Reserve for Off-Street Parking	4,956	510	865	545	3,036	(2,859)
Reserve for Replacement of Mobile Equipment	32,958	2,581	2,742	3,034	24,601	5,125
Reserve for HECFI - Various	8,425	2,055	720	1,040	4,610	2,539
Sub-total	81,636	8,216	6,937	7,174	59,309	20,095
Capital Levy:	64,000	2,000	3,000	4,000	55,000	
Debt Issuance (External / Internal)	145,636	10,216	9,937	11,174	114,309	
Total Financing Required	190,414	20,295	31,394	22,857	115,868	
	336,050	30,511	41,331	34,031	230,177	
Impact on Current Budget for Debt Increases - Annual Average	4.16%	0.00%	18.24%	21.73%	0.38%	
Impact on Current Budget Levy - Annual Average	6.14%	0.00%	2.30%	3.15%	0.68%	
Impact on Current Budget Levy for Operating Expenditure		0.34%				
(2) Less Capital Projects Cancelled or Reduced						
Projects Reduced	(2,060)	(2,060)				
Project Cancelled	(400)	(400)	7,781			
Projects Transferred to 2000 For Further Review	0	(7,781)	7,781	0	0	
	(2,460)	(10,241)				
(3) Capital Budget as Recommended						
Reserves, Reserve Funds & Capital Levy (as above):	145,636	10,216	9,937	11,174	114,309	
Debt Issuance (External / Internal)	100,891	10,054	14,637	10,687	65,513	
Total Financing Required	246,527	20,270	24,574	21,861	179,822	
Impact on Current Budget for Debt Increases - Annual Average	0.90%	0.00%	1.00%	1.00%	1.00%	
Impact on Current Budget Levy - Annual Average	0.11%	0.00%	0.12%	0.12%	0.13%	
Impact on Current Budget for Operating Expenditure		0.16%				

The Corporation of the City of Hamilton
1999-2008 CAPITAL BUDGET PROGRAM

PROJECTS BY YEAR & RANK ORDER

(Thousands of Dollars)

For Consideration of the Joint City/Region Budget Steering Committee

AMENDED
SCHEDULE "B" as referred to
in Section 1 of the FOURTH Report
of the Committee of the Whole for 1999.

FUNDED BY SPECIFIC RESERVES:

Line No.	C / R	PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT Start (6)	PROJECT Finish (7)	Gross Cost (8)	EXT. Revenue (9)	D.C. (10)	NET 1999 (11)	NET 2000 (12)	NET 2001 (13)	NET 2002-08 (14)	Nature of Funding (15)	Annual Debt Charges (16)	Annual Operating Cost (17)	RANK (18)	NET CUMUL. TOTAL (19)
1	C	900	PW&T	DRIVE CLEAN PROGRAM	1999	1999	95			95				RRME			8,165	95
2	C	970	PW&T	PLAYSTRUCTURE REDEVELOPMENT	1999	1999	429	29		400				RPL		12	6,302	495
3	C	670	COMS	FIRE - VEHICLE / APPARATUS REPLACEMENT	1999	1999	141			141				RRME		0	5,372	636
4	C	1710	PS	PAVING AND RETROFIT OF CARPARKS	1999	1999	200			200				ROSP		3	3,526	836
5	C	1720	PS	CARPARK # 37 AND # 68 RETROFIT	1999	1999	80			80				ROSP		10	3,392	916
6	C	1520	PW&T	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	1999	1999	1,200			1,200				RSTUL/RDC		19	3,259	2,116
7	C	960	PW&T	VEHICLE REPLACEMENT PROGRAM	1999	1999	2,345			2,345				RRME			3,006	4,461
8	C	1570	HECFI	CORPS COLISEUM - SCOREBOARD REPLACEMENT	1999	1999	1,000			1,000				RCP-H		(40)	2,680	5,461
9	C	1610	HECFI	HAMILTON PLACE - REPLACEMENTS & RENOVATIONS	1999	1999	200			200				RES-HP		0	2,590	5,661
10	C	1600	HECFI	HCC & CC - VARIOUS EQUIPMENT REPLACEMENTS	1999	1999	55			55				RCP-H		0	2,590	5,716
11	C	1580	HECFI	HAMILTON PLACE - GREAT HALL SEATING	1999	1999	450			450				RES-HP		0	2,590	6,166
12	C	1590	HECFI	HAMILTON PLACE - REPLACEMENT OF CARPET	1999	1999	350			350				RES-HP		0	2,590	6,516
13	C	1690	PS	ELECTRONIC PARKING METER EXPANSION AND REPLACEMENT	1999	1999	80			80				ROSP		2	2,473	6,596
14	C	1150	PW&T	RED HILL VALLEY - RECREATION AND OPEN SPACE	1999	1999	600			600				RRHCD		55	2,433	7,196
15	C	1700	PS	PAY. DISPLAY AND P.O.F. EQUIPMENT REPLACEMENT	1999	1999	150			150				ROSP		10	2,140	7,346

1999-2008 CAPITAL BUDGET PROGRAM

PROJECTS BY YEAR & RANK ORDER

(Thousands of Dollars)

For Consideration of the Joint City/Region Budget Steering Committee

Line No.	C / R	PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		Gross Cost	EXT. Revenue	D.C.	NET SPENDING				Nature Of Funding	Annual Debt Charges	Annual Operating Cost	RANK	NET CUMUL TOTAL		
(1)	(2)	(3)	(4)	(5)	Start	Finish	(8)	(9)	(10)	1999	2000	2001	2002-06	(15)	(16)	(17)	(18)	(19)		
				1999																
FUNDED BY GENERAL RESERVE (RESERVE FOR CAPITAL PROJECTS), CAPITAL LEVY & DEBENTURE:																				
1	C	3.0	CORS	ASBESTOS MANAGEMENT PROGRAM	1999	1999	300	150		150				RCP			8,845	7,496		
2	C	91.0	PW&T	DOWNTOWN HAMILTON IMPROVEMENT PLAN - PHASE III	1999	1999	2,350	200		2,150				CL/DEB	226	44	7,702	2,150		
3	C	49.0	CORS	ELECTRICAL DEREGULATION VARIOUS FACILITIES	1999	1999	50	25		25				RCP			7,692	25		
4	C	69.0	COMS	INT'L CHILDREN'S GAMES MILLENNIUM FESTIVAL	1999	2000	1,900	1,600		300				CL			7,659	300		
5	C	2.0	CORS	CENTRAL UTILITIES PLANT - Y2K MITIGATION	1999	1999	170			170				RCP		(15)	7,575	170		
6	C	6.0	CORS	CORPS/CENTRAL LIBRARY MAJOR OVERHAUL OF EQUIP.	1999	1999	235			235				CL		0	7,412	235		
7	C	99.0	PW&T	TRAFFIC SIGN REPLACEMENT	1999	1999	75			75				RCP			7,238	75		
8	C	100.0	PW&T	TRAFFIC SIGNAL MODERNIZATION	1999	1999	64			64				CL			7,182	7,560		
9	C	63.0	COMS	ASSET MANAGEMENT RECREATION CENTRES	1999	1999	2,300			2,300				DEB	309	53	6,975	4,450		
10	C	61.0	COMS	ASSET MANAGEMENT FIRE STATIONS	1999	1999	700			700				DEB	94		6,885	725		
11	C	64.0	COMS	RISK MANAGEMENT - VARIOUS FACILITIES	1999	1999	360			360				CL		0	6,885	660		
12	C	31.0	CORS	WEST AVENUE SCHOOL - RETROFIT HEATING SYSTEM	1999	1999	50			50				DEB	7	(3)	5,899	220		
13	C	94.0	PW&T	CITY'S SHARE OF LOCALS - RESIDENTIAL	1999	1999	250			250				CL			5,635	485		
14	C	102.0	PW&T	INVENTORY CONTROL SOFTWARE	1999	1999	75			75				CL			5,522	150		
15	C	92.0	PW&T	PARK DEVELOPMENT AND REDEVELOPMENT	1999	1999	600			600				RD/DEB	40	44	5,435	8,160		
16	C	95.0	PW&T	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM	1999	1999	5,000			5,000				DEB	671		5,275	9,450		
17	C	76.0	COMS	RIVERDALE RECREATION AND SENIOR CENTRE	1999	2000	4,250			300	3,950			RCP		184	2,426	4,975		
18	C	114.0	PW&T	COMMERCIAL IMPROVEMENT PROGRAMME - PHASE II	1999	2001	120			120				RCP		5	1,706	780		
19	Sub-total 1999 Capital Budget				(NET CITY COSTS - 24,220)				26,224	2,004	0	20,270	3,950	0	0		1,347	383		

1999-2008 CAPITAL BUDGET PROGRAM

Schedule "B"

PROJECTS BY YEAR & RANK ORDER

(Thousands of Dollars)

For Consideration of the Joint City/Region Budget Steering Committee

Line No.	C / R	PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		Gross Cost	EXT. Revenue	D.C.	NET SPENDING				Nature Of Funding	Annual Debt Charges	Annual Operating Cost	RANK	NET CUMUL TOTAL
(1)	(2)	(3)	(4)	(5)	Start (6)	Finish (7)	(8)	(9)	(10)	1999 (11)	2000 (12)	2001 (13)	2002-06 (14)	(15)	(16)	(17)	(18)	(19)
THESE PROJECTS WILL BE REVIEWED ALONG THE CUT OFF POINT AND ARE NOT FUNDED.																		
1	C	10.0	CORS	BIG SISTERS - 52 & 56 CHARLTON - RE-ROOFING	1999	1999	75			75						0	5,232	9,525
2	C	81.0	CP&D	DIGITAL IMAGING OF ZONING MAPS	1999	1999	300		75	225						(50)	5,196	9,825
3	C	66.0	COMS	LIGHTING AND PARKING LOT REPAIRS	1999	1999	500			500						20	5,099	10,325
4	C	116.0	PW&T	PARKING LOT & PATHWAY REPAIRS - VARIOUS	1999	1999	250			250						0	5,099	10,575
5	C	154.0	PW&T	RAILWAY CROSSING - HI RAIL INSTALLATION	1999	1999	61			61							4,786	10,636
6	C	5.0	CORS	EMERGENCY LIGHTING / ALARM SYSTEM / P.A. SYSTEM	1999	1999	100			100						(25)	4,459	10,736
6.7	C	13.0	CORS	SECOND APPARATUS DOOR AT TWO FIRE STATIONS	1999	1999	90			90						1	4,379	10,826
6.8	C	82.0	CP&D	INTEGRATED MANAGEMENT AND TRACKING SYSTEM	1999	1999	300		75	225						(150)	4,282	11,126
6.9	C	4.0	CORS	ACCOMODATION & MAJOR RETROFIT - CORP. FACILITIES	1999	1999	615	307		308						(67)	4,236	11,434
7	C	101.0	PW&T	MAINTENANCE OF CITY'S PARKING LOTS	1999	2008	50			50							4,186	11,484
11	C	62.0	COMS	ASSET MANAGEMENT HAMILTON PUBLIC LIBRARY	1999	1999	60			60						0	4,146	11,544
12	C	59.0	CORS	DISTRICT ENERGY PROJECT	1999	1999	100	60		40							4,006	11,584
13	C	11.0	CORS	CAPITAL EQUIPMENT REPLACEMENT	1999	1999	125			125							3,832	11,709
14	C	58.0	CORS	ENERGY MANAGEMENT STUDY	1999	1999	200			200							3,832	11,909
15	C	156.0	PW&T	DAVIS CREEK EROSION MANAGEMENT STUDY	1999	1999	100			100							3,829	12,009
16	C	78.0	HSS	KING STREET / WALNUT REDEVELOPMENT	1999	1999	600			600						0	3,359	12,609
17	C	48.0	CORS	PARKING GARAGE LIGHTING RETROFIT	1999	1999	170			170						(45)	3,336	12,779
18	C	7.0	CORS	RE-ROOFING AT RYERSON RECREATION CENTRE	1999	1999	200			200						0	3,206	12,979
19	C	34.0	CORS	BENNETTO - ROOF REPLACEMENT	1999	1999	285			285							3,206	13,264
20	C	36.0	CORS	LAURIER RECREATION CENTRE	1999	1999	300			300							3,206	13,564
21	C	37.0	CORS	SOCIAL SERVICE BUILDING	1999	1999	90			90							3,206	13,654
22	C	41.0	CORS	GAGE PARK BAND SHELL	1999	1999	80			80							3,206	13,734
23	C	56.0	CORS	MOUNTAIN ARENA - COOLING TOWER	1999	1999	100			100							3,206	13,834
24	C	57.0	CORS	FACILITIES MANAGEMENT PILOT PROJECT	1999	1999	250			250							3,206	14,084

1999-2008 CAPITAL BUDGET PROGRAM

Schedule "B"

PROJECTS BY YEAR & RANK ORDER

(Thousands of Dollars)

For Consideration of the Joint City/Region Budget Steering Committee

Line No.	C / R	PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT Start (6)	PROJECT Finish (7)	Gross Cost (8)	EXT. Revenue (9)	D.C. (10)	NET 1999 (11)	NET 2000 (12)	NET 2001 (13)	NET 2002-08 (14)	Nature Of Funding (15)	Annual Debt Charges (16)	Annual Operating Cost (17)	RANK (18)	NET CUMUL. TOTAL (19)
FOLLOWING 1999 PROJECTS ARE BELOW THE CUT OFF POINT AND ARE NOT FUNDED.																		
THESE PROJECTS WILL BE REVIEWED ALONG WITH NEXT YEAR'S PROJECTS:																		
25	C	107.0	PW&T	FORESTRY RENOVATION - UPPER OTTAWA YARD	1999	1999	90			90							3,206	14,174
26	C	106.0	PW&T	PARKLAND ACQUISITION	1999	1999	500			500						16	3,203	14,674
27	C	71.0	COMS	MULTIPAD ARENASPORTS COMPLEX	1999	2001	9,750	9,750								231	3,183	14,674
28	C	44.0	CORS	CORPORATE NETWORK IMPROVEMENTS	1999	1999	50			50							3,166	14,724
29	C	45.0	CORS	CORPORATE NETWORK EXTENSIONS	1999	1999	84			84							3,166	14,808
30	C	111.0	PW&T	TRAFFIC CALMING	1999	1999	100			100							2,899	14,908
31	C	113.0	PW&T	TENNIS COURT - MAJOR REPAIRS	1999	1999	25			25							2,806	14,933
32	C	12.0	CORS	REPLACEMENT OF ORNAMENTAL (GLOBE) LIGHTING	1999	1999	100			100						(3)	2,413	5,075
33	C	105.0	PW&T	FERGUSON AVE IMPLEMENTATION PEDESTRIAN/BIKE LINK	1999	1999	580			580						12	2,333	5,655
34	C	108.0	PW&T	MOUNTAIN BROW STREET LIGHTING	1999	1999	105			105						0	2,213	5,760
35	C	84.0	CP&D	TAX INCENTIVE PROGRAM FOR DESIGNATED BUILDINGS	1999	1999	50			50							2,040	5,810
36	C	103.0	PW&T	MAJOR GATEWAYS TO THE CITY	1999	1999	700	200		200	300					50	1,846	6,310
37	C	109.0	PW&T	BOOCE, BASKETBALL, SHUFFLEBOARD COURTS, ETC. DEVELOP.	1999	1999	53	3		50							1,846	6,360
38	C	110.0	PW&T	ESCAPMENT STEPS - FENNEL TO GREENHILL	1999	1999	480			480						2	1,746	6,840
39	C	112.0	PW&T	IMPLEMENTATION OF '97 CORKTOWN NEIGHBOURHOOD PLAN	1999	1999	50			50							1,666	8,300
40	C	121.0	PW&T	CN LAND ACQUISITION - ENVIRONMENTAL ASSESSMENT	1999	2000	780			80	700					24	1,017	1,610
41	C	86.0	CP&D	ST. MARK'S CENTRE - BUILDING RENOVATION	1999	2000	98			63	35						0,897	1,708
42	C	104.0	PW&T	WESTERN GATEWAY - MAIN STREET WEST	1999	1999	120			120						5	0,717	1,828
43	C	83.0	CP&D	URBAN ENTERTAINMENT CENTRE	1999	2000	0											1,828
44	Sub-total Balance of 1999 Projects to be reviewed Next Year				18,716	10,320	150	7,211	1,035	0	0	0	0		0	22		

1999-2008 CAPITAL BUDGET PROGRAM

Schedule "B"

PROJECTS BY YEAR & RANK ORDER

(Thousands of Dollars)

For Consideration of the Joint City/Region Budget Steering Committee

Line No.	C / R	PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		Gross Cost	EXT. Revenue	D.C.	NET SPENDING				Nature Of Funding	Annual Debt Charges	Annual Operating Cost	RANK	NET CUMUL TOTAL
					Start	Finish				1999	2000	2001	2002-08					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)
				2000-2008														
45	C	3.1	CORS	ASBESTOS MANAGEMENT PROGRAM	2000	2008	1,500	750			100	100	50				8,845	
46	C	99.1	PW&T	TRAFFIC SIGN REPLACEMENT	2000	2000	75				75						7,238	
47	C	100.1	PW&T	TRAFFIC SIGNAL MODERNIZATION	2000	2008	666				66	68	532				7,182	
48	C	63.1	COMS	ASSET MANAGEMENT RECREATION CENTRES	2000	2008	21,307	550			1,077	1,570	18,110				6,975	
49	C	64.1	COMS	RISK MANAGEMENT - VARIOUS FACILITIES	2000	2003	1,655				510	400	745				6,885	
50	C	61.1	COMS	ASSET MANAGEMENT FIRE STATIONS	2000	2008	3,175				875		2,300				6,885	
51	C	87.0	CP&D	ZONING BY-LAW REVIEW	2000	2002	600				200	200	200				6,739	
52	C	97.1	PW&T	PLAYSTRUCTURE REDEVELOPMENT	2000	2008	2,907	207			300	300	2,100				6,302	
53	C	94.1	PW&T	CITY'S SHARE OF LOCALS - RESIDENTIAL	2000	2008	2,250				250	250	1,750				5,635	
54	C	67.1	COMS	FIRE - VEHICLE / APPARATUS REPLACEMENT	2000	2008	5,839				326	546	4,967				5,372	
55	C	95.1	PW&T	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM	2000	2008	76,137				7,161	7,736	61,240				5,275	
56	C	116.1	PW&T	PARKING LOT & PATHWAY REPAIRS - VARIOUS	2000	2008	2,250				250	250	1,750				5,099	
57	C	66.1	COMS	LIGHTING AND PARKING LOT REPAIRS	2000	2005	2,035				615	600	820				5,099	
58	C	60.0	COMS	ASSET MANAGEMENT ARENAS	2000	2007	16,745				450	1,950	14,345				5,059	
59	C	85.0	CP&D	NEIGHBOURHOOD PLAN REVIEW PROGRAM	2000	2006	455				50	50	245				4,912	
60	C	154.1	PW&T	RAILWAY CROSSING - HI RAIL INSTALLATION	2000	2005	387				62	63	262				4,786	
61	C	98.0	PW&T	PARK DEVELOPMENT AND REDEVELOPMENT	2000	2008	8,100				900	900	6,300				4,342	
62	C	68.0	COMS	DUNDURN HISTORIC LANDSCAPE RESTORATION	2000	2002	1,600	800			500	300					4,322	
63	C	82.1	CP&D	INTEGRATED MANAGEMENT AND TRACKING SYSTEM	2000	2001	600				150						4,282	
64	C	4.1	CORS	ACCOMODATION & MAJOR RETROFIT-CORP FACILITIES	2000	2001	15,200	7,600			3,850	3,750					4,236	
65	C	117.0	PW&T	HAMILTON BEACH FLOOD CONTROL - PHASE I	2000	2001	870				435	435					4,226	
66	C	101.1	PW&T	MAINTENANCE OF CITY'S PARKING LOTS	2000	2008	450				50	50	350				4,186	
67	C	62.1	COMS	ASSET MAANAGEMENT HAMILTON PUBLIC LIBRARY	2000	2003	1,250				145	335	770				4,146	
68	C	14.0	CORS	FIELDHOUSES - MECH, ELEC. & RE- ROOFING	2000	2000	612				612						4,049	
69	C	93.0	PW&T	DOWNTOWN HAMILTON IMPROVEMENT PLAN - PHASE III	2000	2008	7,477				2,200	2,200	3,077				3,972	

The Corporation of the City of Hamilton
1999-2008 CAPITAL BUDGET PROGRAM

AMENDED
 Schedule "B"

PROJECTS BY YEAR & RANK ORDER

(Thousands of Dollars)

For Consideration of the Joint City/Region Budget Steering Committee

Line No.	C / R	PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT Start	PROJECT Finish	Gross Cost	EXT. Revenue	D.C.	NET 1999	NET 2000	NET 2001	NET 2002-08	Nature Of Funding	Annual Debt Charges	Annual Operating Cost	RANK	NET CUMUL. TOTAL
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)
70	C	155.0	PW&T	SUBDIVISION WATERSHED PLAN FOR RH MASTER PLAN	2000	2000	300				300						3,829	
71	C	80.0	HSS	UPGRADE OF ADA PRITCHARD APARTMENTS	2000	2000	1,399				1,399					0	3,719	
72	C	79.0	HSS	MACASSA REGENERATION	2000	2000	1,100				1,100					0	3,719	
73	C	171.1	PS	PAVING AND RETROFIT OF CARPARKS	2000	2008	940				100	100	740			3	3,526	
74	C	172.1	PS	CARPARK # 37 AND # 68 RETROFIT	2000	2008	1,400				200	200	1,000			10	3,392	
75	C	153.0	PW&T	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2000	2008	8,750				900	950	6,900			19	3,259	
76	C	170.0	CORS	CENTRAL FIRE STATION - MECH/ELEC. RETROFIT	2000	2000	241				241					(3)	3,206	
77	C	21.0	CORS	HILL PARK RECREATION CENTRE - MECH/ELEC. RETROFIT	2000	2000	110				110					0	3,206	
78	C	35.0	CORS	CAPITAL EQUIPMENT REPLACEMENT	2000	2000	162				162						3,206	
79	C	106.1	PW&T	PARKLAND ACQUISITION	2000	2008	4,500				500	500	3,500			16	3,203	
80	C	45.1	CORS	CORPORATE NETWORK EXTENSIONS	2000	2000	84				84						3,166	
81	C	96.1	PW&T	VEHICLE REPLACEMENT PROGRAM	2000	2008	24,538				2,416	2,488	19,634				3,006	
82	C	111.1	PW&T	TRAFFIC CALMING	2000	2003	600				150	150	300				2,899	
83	C	15.0	CORS	REPLACEMENT OF MARKET REFRIGERATION UNITS	2000	2000	390				390					1	2,846	
84	C	113.1	PW&T	TENNIS COURT - MAJOR REPAIRS	2000	2002	65				30		35				2,806	
85	C	74.0	COMS	PUBLIC ART PROGRAMME	2000	2000	120				120					15	2,733	
86	C	118.0	PW&T	PLASTIMET SITE REDEVELOPMENT MILLENNIUM PROJECT	2000	2001	450	225			125	100				20	2,593	
87	C	163.0	HECFT	HAMILTON PLACE - REPLACEMENTS & RENOVATIONS	2000	2008	2,000				400	200	1,400			0	2,590	
88	C	162.0	HECFT	HCC & CC - VARIOUS EQUIPMENT REPLACEMENTS	2000	2008	2,340				320	480	1,540			0	2,590	
89	C	169.1	PS	ELECTRONIC PARKING METER EXPANSION AND REPLACEMENT	2000	2008	796				85	85	626			2	2,473	
90	C	115.1	PW&T	RED HILL VALLEY - RECREATION AND OPEN SPACE	2000	2002	1,865				600	600	665			55	2,433	
91	C	173.0	PS	REVENUE CONTROL EQUIPMENT - YORK BLVD.	2000	2000	330				330					(160)	2,230	
92	C	19.0	CORS	FOOTBALL HALL OF FAME - MECH/ELEC. RETROFIT	2000	2000	251				251					(1)	2,180	
93	C	18.0	CORS	CONVENTION CENTRE-REPLACE VARIABLE SPEED DRIVES	2000	2000	100				100					(5)	2,180	
94	C	170.1	PS	PAY. DISPLAY AND P.O.F. EQUIPMENT REPLACEMENT	2000	2008	980				150	160	670			10	2,140	
95	C	16.0	CORS	COFPS COLISEUM - STEAM TO HOT WATER CONVERSION	2000	2008	1,660				135		1,525			(5)	2,100	

1999-2008 CAPITAL BUDGET PROGRAM

Schedule "B"

PROJECTS BY YEAR & RANK ORDER

(Thousands of Dollars)

For Consideration of the Joint City/Region Budget Steering Committee

Line C / No. R	PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT Start (6)	Finish (7)	Gross Cost (8)	EXT. Revenue (9)	D.C. (10)	NET 1999 (11)	SPENDING 2000 (12)	2001 (13)	2002-08 (14)	Nature Of Funding (15)	Annual Debt Charges (16)	Annual Operating Cost (17)	RANK (18)	NET CUMUL TOTAL (19)
96	C	CP&D	TAX INCENTIVE PROGRAM FOR DESIGNATED BUILDINGS	2000	2006	350				50	50	250				2,040	
97	C	109.1 PW&T	BOOCE, BASKETBALL, SHUFFLEBOARD COURTS, ETC. DEVELOP.	2000	2008	477	27			50	50	350				1,846	
98	C	120.0 PW&T	ENHANCED STREETSCAPING	2000	2002	108				36	36	36				0.817	
99	C	119.0 PW&T	WATER TRUCK - TRAFFIC ISLAND PROGRAMME	2000	2000	68				68						0.817	
100	C	65.0 COMS	IVOR WYNNE STADIUM - REPLACEMENT OF ASTROTURF	2001	2001	2,000				2,000						6,379	
101	C	122.0 PW&T	AMALGAMATION OF DISTRICT 2 & 3 PUBLIC WORKS YARDS	2001	2002	2,900				1,700	1,200					4,612	
102	C	89.0 CP&D	BROWNFIELDS REDEVELOPMENT TASK FORCE	2001	2002	120	60			30	30					4,259	
103	C	25.0 COMS	FIRE STATION 3 - REROOFING	2001	2001	60				60						3,463	
104	C	70.0 COMS	SOUTH MOUNTAIN COMBINED FACILITY - PHASE I	2001	2002	4,850	700	3,735		15	400					3,319	
105	C	8.0 COMS	LIBRARY / MARKET - BOILER RETROFIT	2001	2001	375				375						3,246	
106	C	22.0 COMS	CAPITAL EQUIPMENT REPLACEMENT	2001	2001	128				128						3,206	
107	C	23.0 COMS	KENILWORTH COM. BUILDING - MECH/ELEC. RETROFIT	2001	2001	193				193						3,206	
108	C	44.1 COMS	CORPORATE NETWORK IMPROVEMENTS	2001	2002	100				50	50					3,166	
109	C	24.0 COMS	LAWFIELD ARENA, BUILDING ENVELOPE REMEDIAL REPAIRS	2001	2001	54				54						3,086	
110	C	9.0 COMS	CONVENTION CENTRE - AIR HANDLING UNIT RETROFIT	2001	2001	95				95						2,806	
111	C	123.0 PW&T	HAMILTON BEACH TRAIL DEVELOPMENT	2001	2003	2,138	1,069			319	750					1,780	
112	C	164.0 HECFI	CORPS COLISEUM - EXTERIOR ELECTRONIC SKIN	2001	2001	360					360					1,397	
113	C	26.0 COMS	MAGNAB STREET TUNNEL - CONCRETE REPAIRS	2002	2002	70					70					3,832	
114	C	40.0 COMS	WOODLANDS PARK	2002	2002	22					22					3,206	
115	C	43.0 COMS	SAM LAWRENCE PARK	2002	2002	25					25					3,206	
116	C	42.0 COMS	SAM MANSON	2002	2002	20					20					3,206	
117	C	75.0 COMS	CHEDOKE GOLF COURSES REDEVELOPMENT	2002	2007	1,670					1,670					2,493	
118	C	124.0 PW&T	WADING POOL CONVERSIONS	2002	2003	300					300					2,180	
119	C	165.0 HECFI	HAMILTON CONVENTION CENTRE - ROOFING SYSTEM	2002	2002	390					390					1,307	
120	C	39.0 COMS	ALEXANDER PARK FIELD HOUSE	2003	2003	15					15					3,206	
121	C	38.0 COMS	MONTGOMERY PARK FIELD HOUSE	2003	2003	55					55					3,206	

1999-2008 CAPITAL BUDGET PROGRAM

Schedule "B"

PROJECTS BY YEAR & RANK ORDER

(Thousands of Dollars)

For Consideration of the Joint City/Region Budget Steering Committee

Line No.	C / R	PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		Gross Cost	EXT. Revenue	D.C.	NET SPENDING				Nature Of Funding	Annual Debt Charges	Annual Operating Cost	RANK	NET CUMUL TOTAL
					Start	Finish				1999	2000	2001	2002-08					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)
122	C	51.0	CORS	COMMON WEALTH SQUARE - ELECTRICAL UPGRADE	2003	2003	10						10				3,166	
123	C	73.0	COMS	SOUTH MOUNTAIN COMBINED FACILITY PHASE II	2003	2004	8,186	300	7,097				789			1,089	3,079	
124	C	125.0	PW&T	BEASLEY NEIGHBOURHOOD PLAN	2003	2003	93						93			2	2,636	
125	C	47.0	CORS	HAMILTON PLACE H.V.A.C. RETROFIT	2003	2003	3,857						3,857				2,493	
126	C	50.0	CORS	FARMERS MARKET EXTERIOR DOOR REPLACEMENT	2003	2003	112						112				2,180	
127	C	167.0	HECFI	CORPS COLISEUM - PLATFORM SEATING REFURBISHMENT	2003	2003	350						350			0	1,307	
128	C	166.0	HECFI	HAMILTON CONVENTION CENTRE - CARPET REPLACEMENT	2003	2003	330						330			0	1,307	
129	C	88.0	CP&D	OFFICIAL PLAN REVIEW	2004	2005	250						250				6,739	
130	C	27.0	CORS	TRAFFIC OPERATION CENTRE - REROOFING	2004	2004	500						500			(3)	3,206	
131	C	127.0	PW&T	TENNIS COURT REDEVELOPMENT - PHASE I	2004	2008	3,378						3,378			0	2,806	
132	C	126.0	PW&T	OUTDOOR SKATE BOARD FACILITY	2004	2004	250						250			25	1,933	
133	C	130.0	PW&T	MOHAWK SPORTS PARK DEVELOPMENT - PHASE II	2004	2008	3,760						3,760			80	1,486	
134	C	129.0	PW&T	SOCCER FACILITIES DEVELOPMENT	2004	2004	396						396			20	1,486	
135	C	128.0	PW&T	BAYFRONT PARK DEVELOPMENT - PHASE I TO IV	2004	2008	4,769	1,000					3,769			96	1,257	
136	C	28.0	CORS	C.U.P. BUILDING AUTOMATION SYSTEM UPDATE	2005	2005	2,270	120					2,150			(350)	3,872	
137	C	131.0	PW&T	TURNER PARK DEVELOPMENT PHASE III	2005	2005	1,420						1,420			60	2,000	
138	C	77.0	COMS	MOUNTAIN Y.M.C.A.	2005	2006	1,500										0,937	
139	C	133.0	PW&T	MOTOR VEHICLE REQUIREMENTS - SIGNALS & HOISTS	2006	2006	72						72				5,372	
140	C	132.0	PW&T	LANDSCAPING - BAYFRONT CSO TANK	2006	2006	278						278			5	2,180	
141	C	168.0	HECFI	CORPS COLISEUM - ROOFING SYSTEM REPLACEMENT	2006	2006	600						600			0	1,307	
142	C	30.0	CORS	FIRE STATION 3 - ELEC/MECH. RETROFIT	2007	2007	250						250			(3)	3,463	
143	C	29.0	CORS	FIRE STATION 6 - REROOFING	2007	2007	65						65			0	3,206	
144	C	72.0	COMS	2008 SUMMER OLYMPICS - HAMILTON VENUES	2007	2008	5,090	2,395					2,695				3,183	
145	C	46.0	CORS	CORPORATE NETWORK IMPROVEMENTS	2007	2007	100						100				3,166	
146	C	134.0	PW&T	REDEVELOPMENT OF CITY HALL GROUNDS	2007	2007	2,487						2,487			50	0,897	
147	C	150.0	PW&T	PARK DEVELOPMENT - UNDEVELOPED SITES	2008	2008	5,278						5,278			352	4,086	

The Corporation of the City of Hamilton
1999-2008 CAPITAL BUDGET PROGRAM

AMENDED
 Schedule "B"

PROJECTS BY YEAR & RANK ORDER

(Thousands of Dollars)

For Consideration of the Joint City/Region Budget Steering Committee

Line No.	C / R	PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		Gross Cost	EXT. Revenue	D.C.	NET SPENDING				Nature Of Funding	Annual Debt Charges	Annual Operating Cost	RANK	NET CUMUL TOTAL
					Start (6)	Finish (7)				1999 (11)	2000 (12)	2001 (13)	2002-08 (14)					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)
148	C	320	CORS	BALFOUR ESTITE - BLDG ENVELOPE RESTORATION	2008	2008	218						218			0	4.039	
149	C	330	CORS	P&M WORKSHOP - REPAIRS AND MAINTENANCE	2008	2008	36						36				3.519	
150	C	200	CORS	125 BARTON STREET - REPLACE EXTERIOR WINDOWS	2008	2008	150						150			(5)	3.126	
151	C	1450	PW&T	MOUNTAIN BROW PARK FENCE & PATHWAY RECONSTRUCTION	2008	2008	250						250			12	2.626	
152	C	1350	PW&T	FERGUSON AVE IMPLEMENTATION PEDESTRIAN/BIKE LINK	2008	2008	3,121						3,121			61	2.589	
153	C	1470	PW&T	SACKVILLE HILL MEMORIAL PARK REDEVELOPMENT	2008	2008	719						719			8	2.180	
154	C	1460	PW&T	GAGE PARK FENCING REPLACEMENT	2008	2008	180						180			0	2.100	
155	C	1380	PW&T	BIKEWAY DEVELOPMENT	2008	2008	500						500			4	1.563	
156	C	1440	PW&T	CRYSTAL PALACE - STUDY AND CONSTRUCTION	2008	2008	8,151	8,151								50	1.387	
157	C	1370	PW&T	CORKTOWN NEIGHBOURHOOD PLAN MAPLE PHASE II	2008	2008	250						250			50	0.937	
158	C	1390	PW&T	CROWN POINT EAST - MCANULTY PHASE II	2008	2008	542						542			7	0.937	
159	C	1430	PW&T	COMMERCIAL IMPROVEMENT PROGRAM - PHASE II	2008	2008	250						250			35	0.937	
160	C	1360	PW&T	HUGHSON STREET REDEVELOPMENT - PHASE II	2008	2008	765						765			27	0.937	
161	C	1410	PW&T	PARKVIEW (EAST AND WEST)	2008	2008	266						266			14	0.937	
162	C	1490	PW&T	OPEN SPACE CORRIDOR STUDY AND CONSTRUCTION	2008	2008	1,280						1,280			76	0.837	
163	C	1440	PW&T	WILLIAM CONNELL PARK DEVELOPMENT	2008	2008	1,850						1,850			80	0.797	
164	C	1420	PW&T	BLAKELEY / ST. CLAIR REVITALIZATION	2008	2008	532						532			29	0.757	
165	C	1400	PW&T	STERELEY SOUTH NEIGHBOURHOOD	2008	2008	551						551			29	0.757	
166	C	1510	PW&T	WATERFRONT DEVELOPMENT	2008	2008	100,000	90,000					10,000				0.657	
167			Sub-total	2000 - 2008 Projects			411,818	115,454	11,092	0	32,186	33,806	219,280		0	1,687		
168			Total	1999 - 2008 Capital Budget			456,758	127,778	11,242	27,481	37,171	33,806	219,280		1,347	2,092		
				(NET CITY COSTS - 328,880)														

AMENDED

Schedule "B"

(Thousands of Dollars)

FINANCING OF CAPITAL PROJECTS

335

April 27, 1999

Minutes of Hamilton City Council
Tuesday, April 27, 1999
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

There were present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, A. Horwath, B. Morelli, D. Haining,
D. Wilson, F. Eisenberger, T. Jackson, T. Anderson,
B. Kelly, F. D'Amico, D. O'Sullivan.

Absent: Alderman M. Caplan – City Business
Alderman R. Corsini – City Business
Alderman G. Copps – Personal Business
Alderman C. Collins – City Business
Alderman B. Charters – Regional Business

Mayor R. M. Morrow called the meeting to order.

Reverend Stephen Chmilar, St. Nicholas Ukrainian Catholic Parish led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow recognized the 75th Scouting Group. In attendance were: Randy Shane Soepboer, Grant Mattis, Tyler Potter, Bradley Griffin, Natalia Paglia, Laura Ballyk, and Mathew Ballyk.

Major Roland Shea, Salvation Army presented Mayor R. M. Morrow with the Red Shield Flag.

ADOPTION OF MINUTES

The minutes of the meeting held April 13, 1999 were adopted as circulated.

The minutes of the special meeting held April 20, 1999 were not adopted as a result of a tie vote.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Eisenberger, Jackson, D'Amico. -6

NAYS: Aldermen Morelli, Haining, Wilson, Anderson, Kelly, O'Sullivan. -6

CORRESPONDENCE

1. Letter dated April 12, 1999 from Ms. Susan L. Steele, Town Clerk for the Corporation of the Town of Dundas respecting the reduction in size of council.

Received.

2. Letter dated March 9, 1999 from Kasey Deksnys, Lithuanian Canadian Community respecting government support of Lithuania into an expanded NATO.

Received.

It was moved by Alderman Kiss and seconded by Alderman Horwath that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, the City of Hamilton Licensing Committee, be considered in Committee of the Whole with Alderman D'Amico in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Morelli, Haining, Wilson, Eisenberger, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -12.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – FOURTH REPORT

**Section 1 Re: Proposed Alteration of Hess St. S., between King St. W.
and Jackson St., and George St., from Hess St. S.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Horwath, Morelli, Haining, Wilson,
Eisenberger, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –11.

NAYS: Alderman Kiss -1. **CARRIED.**

PARKS AND RECREATION COMMITTEE – FIFTH REPORT

Section 2 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Morelli, Haining, Wilson,
Eisenberger, Anderson, Kelly, D'Amico, O'Sullivan. –11.

NAYS: Alderman Jackson. -1. **CARRIED.**

Rule No. 9 - Citizen Appointment to the Hamilton Historical Board

It was moved by Alderman Morelli and seconded by Alderman Haining that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the appointment of citizen members to the Hamilton Historical Board. **CARRIED.**

It was moved by Alderman Morelli and seconded by Alderman Haining
That the following be added as Section 16 of the FIFTH Report of the Parks and
Recreation Committee for 1999:

16. **Appointment of Citizen Members – Hamilton Historical Board**

That the following citizens be appointed to serve on the Hamilton Historical Board:

Carolyn McCann
Sue Elliot
Jennifer Reynolds

for a term to expire November 30, 2000
for a term to expire November 30, 2002
for a term to expire November 30, 2002

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – TENTH REPORT

Section 2 Re: ZA-99-02 86 Mall Road

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Morelli, Haining, Wilson, Eisenberger, Jackson, Anderson, Kelly, O'Sullivan. -11.

NAYS: Alderman D'Amico. -1.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE – EIGHTH REPORT

NOMINATING COMMITTEE – SECOND REPORT

CITY OF HAMILTON LICENSING COMMITTEE – THIRD REPORT

ACTING MAYOR FOR THE MONTH OF MAY, 1999

It was moved by Alderman Kiss and seconded by Alderman Horwath that Alderman M. Caplan be appointed Acting Mayor for the month of May, 1999. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Horwath that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, the City of Hamilton Licensing Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Morelli, Haining, Wilson, Eisenberger, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -12.

NAYS: -0. **CARRIED.**

* * * * *

City Council then adjourned at 8:20 o'clock p.m.

* * * * *

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz
Municipal Clerk
April 27, 1999
JJS/dg**

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FOURTH** Report for 1999 and respectfully recommends:

1. **Proposed Alteration of Hess Street South, between King Street West and Jackson Street, and George Street, from Hess Street South to approximately 65m Easterly**

That the by-law to alter the roadway of Hess Street South, between King Street West and Main Street West by narrowing the pavement from the existing width of 910 metres to a width of 6.2 metres, Hess Street South, from Main Street West to Jackson Street by narrowing the pavement from 12.0 metres to 9.0 metres, and George Street, between Hess Street and 65 metres easterly by narrowing the pavement from 6.0 metres to 3.5 metres, be passed and enacted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Horwath, Morelli, Haining, Wilson, Eisenberger, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -12.

NAYS: Alderman Kiss. -1.

CARRIED.

2. **No. 23 Augusta Street – Request for a Reserved - "Permit Parking Space for a Disabled Resident**

- (a) That a "Permit Parking" regulation be implemented on the north side of Augusta Street commencing at a point 69 feet west of Hughson Street South and extending to a point 26 feet westerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Linda MacRae, 23 Augusta Street.

3. Cannon Street East between Kenilworth Avenue North and Ottawa Street North – Parking Regulations

That parking be allowed on the north side of Cannon Street East between Kenilworth Avenue North and Ottawa Street North between 6:00 p.m. and 7:00 a.m., Monday to Friday and 24 hours a day on weekends and holidays, and that the City Traffic By-law 89-72 be amended accordingly.

4. No. 21 Carrick Avenue – Request for a Reserved "Permit Parking" Space for a Disabled Resident

- (a) That a "Permit Parking" regulation be implemented on the east side of Carrick Avenue commencing 205 feet south of King Street East and extending to a point 28 feet southerly therefrom; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Patrick Fazzari, 21 Carrick Avenue.

5. No. 293 Catharine Street North – Request for a Reserved "Permit Parking" Space for a Disabled Resident

- (a) That a "Permit Parking" regulation be implemented on the east side of Catharine Street North commencing 186 feet south of Murray Street East and extending to a point 25 feet southerly therefrom; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. LiCata, 293 Catharine Street North.

6. No. 302 Catharine Street North – Request for a Reserved "Permit Parking" Space for a Disabled Resident

- (a) That a "Permit Parking" regulation be implemented on the east side of Catharine Street North commencing at a point 128 feet south of Murray Street East and extending to a point 20 feet southerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Schirripa, 302 Catharine Street North.

7. Apartment Building at No. 122 Charles Street - Application for a Time Limit Exemption Permit

That the Commissioner of Public Works and Traffic be authorized to issue, upon request, eight Time Limit Exemption Permits to each of the first eight eligible applicants residing in the apartment building at No. 122 Charles Street.

8. No. 383 Fairfield Avenue – Request for a Reserved "Permit Parking" Space for a Disabled Resident

- (a) That a "Permit Parking" regulation be implemented on the west side of Fairfield Avenue commencing at a point 218 feet north of Vansitmart Avenue and extending to a point 22 feet northerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. John Poaps, 383 Fairfield Avenue.

9. No. 67 Francis Street – Request to Remove a Reserved "Permit Parking" Space for a Disabled Resident

That the existing "Permit Parking" regulation on the north side of Francis Street commencing at a point 114 feet west of Cheever Street and extending to a point 24 feet westerly therefrom be removed, and that the City Traffic By-law 89-72 be amended accordingly.

10. Parking Regulations on Glennie Avenue between Britannia Avenue and the southerly end

That the existing "Alternate Side Parking" regulation on Glennie Avenue between Britannia Avenue and the southerly end be replaced with a "No Parking" regulation on the west side, and that the City Traffic By-law 89-72 be amended accordingly.

11. No. 323 Jackson Street West – Request for a Reserved "Permit Parking" Space for a Disabled Resident

- (a) That a "Permit Parking" regulation be implemented on the south side of Jackson Street West commencing at a point 99 feet west of Pearl Street South and extending to a point 17 feet westerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Pratt, 323 Jackson Street West.

12. No. 136 Julian Avenue – Request to remove an existing "Permit Parking" Regulation

That the existing "Permit Parking" regulation on the east side of Julian Avenue commencing 102 feet north of Roxborough Avenue and extending to a point 23 feet northerly therefrom be removed, and that the City Traffic By-law 89-72 be amended accordingly.

13. Apartment Building at No. 972 King Street West - Application for a Time Limit Exemption Permit

That the Commissioner of Public Works and Traffic be authorized to issue, upon request, 11 Time Limit Exemption Permits to each of the first 11 eligible applicants residing in the apartment building at No. 972 King Street West.

14. No. 275 Paling Avenue – Request to Remove a Reserved "Permit Parking" Space for a Disabled Resident

That the existing "Permit Parking" regulation on the west side of Paling Avenue commencing at a point 705 feet south of Barton Street East and extending to a point 20 feet southerly therefrom be removed, and that the City Traffic By-law 89-72 be amended accordingly.

15. Pearson Drive - Parking Regulations

That a full-time "No Parking" regulation be implemented on the north and east sides of Pearson Drive commencing 152 feet west of Pompano Court and extending to a point 132 feet northerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

16. Poulette Street between Hunter Street West and Melbourne Street – Parking Regulations

That the existing "Alternate Side Parking" regulation on Poulette Street between Hunter Street West and Melbourne Street be replaced with a "No Parking" regulation on the west side, and that the City Traffic By-law 89-72 be amended accordingly.

17. No. 34 Strachan Street West – Request for a Reserved "Permit Parking" Space for a Disabled Resident

- (a) That a "Permit Parking" regulation be implemented on the south side of Strachan Street West commencing 62 feet east of MacNab Street North and extending to a point 20 feet easterly therefrom; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Wayne Dion, 34 Strachan Street West.

18. No. 21 Vansitmart Avenue – Request to Remove a Reserved "Permit Parking" Space for a Disabled Resident

That the existing "Permit Parking" regulation on the north side of Vansitmart Avenue commencing at a point 230 feet west of Harmony Avenue and extending to a point 22 feet westerly therefrom be removed, and that the City Traffic By-law 89-72 be amended accordingly.

19. No. 14 Wexford Avenue North – Request for a Reserved "Permit Parking" Space for a Disabled Resident

- (a) That a "Permit Parking" regulation be implemented on the east side of Wexford Avenue North commencing at a point 139 feet north of Main Street East and extending to a point 18 feet northerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Carol Peters, 14 Wexford Avenue North.

20. Intersection of Behan Street and Brendan Court – Intersection Control

That southbound traffic on Brendan Court be required to stop for eastbound and westbound traffic on Behan Street, and that the City Traffic By-law 98-72 be amended accordingly.

21. Intersection of Benjamin Drive and Theodore Drive – Intersection Control

That eastbound and westbound traffic on Theodore Drive be required to stop for northbound and southbound traffic on Benjamin Drive, and that the City Traffic By-law 89-72 be amended accordingly.

22. Intersections of Corinaldo Drive and Fano Drive - Intersection Control

That northbound traffic on Corinaldo Drive be required to stop for eastbound and westbound traffic on Fano Drive and that eastbound traffic on Corinaldo Drive be required to stop for northbound and southbound traffic on Fano Drive, and that the City Traffic By-law 89-72 be amended accordingly.

23. Intersection of Dunkirk Drive and Ferndale Avenue – Intersection Control

That three-way stop control be implemented at the intersection of Dunkirk Drive and Ferndale Avenue, and that the City Traffic By-law 89-72 be amended accordingly.

24. Intersection of Jeremy Street and Chipman Avenue – Intersection Control

That northbound traffic on Jeremy Street be required to stop for eastbound and westbound traffic on Chipman Avenue, and that the City Traffic By-law 89-72 be amended accordingly.

25. Ferguson Avenue North and Wilson Street - School Crossing Guard Request

- (a) That a School Crossing Guard be assigned to the intersection of Ferguson Avenue North and Wilson Street during the morning and evening school crossing periods only; and,

- (b) That consideration be given in the 2000 Current Budget process for an expansion package of \$4,000 plus administrative costs for a School Crossing Guard at this location.

26. Supply of Pedestrian Signal Heads, Vehicle Signal Heads and Pedestrian Pushbuttons

That a purchase order be issued to Fortran Traffic Systems Ltd., Toronto, Ontario, for the supply and delivery of pedestrian signal heads and vehicle signal heads required during 1999 by the Traffic Division, being the lowest acceptable bid received in accordance with specifications issued by the Purchasing Division, and that the estimated expenditure of \$200,000 be financed through the Traffic Signals Materials Account No. CH-56152-75999.

27. Supply and Delivery of Traffic Sign Posts and Hardware

That purchase orders be issued to McKeough Supply Inc., Hamilton, Ontario, Modern Ornamental Iron Works, Hamilton, Ontario and Mechanical Advertising, Oshawa, Ontario, for the supply and delivery of traffic sign poles and hardware as and when required during 1999 by the Public Works and Traffic Department, with an estimated expenditure in 1999 of approximately \$350,000, to be financed through the Traffic Signs Materials Account No. CH-56154-75999.

28. Supply and Delivery of Traffic Signal Controllers

That purchase orders be issued to Intrex Inc, St. Albert, Alberta, and to Fortran Traffic Systems Ltd., Toronto, Ontario, for the supply and delivery of traffic signal controllers and associated equipment required during 1999 by the Traffic Division, being the acceptable bids received in accordance with specifications issued by the Purchasing Division, and that the estimated expenditure of \$500,000 be financed through the Traffic Signals Materials Account No. CH-56152-75999.

**29. James Street North between Barton Street and Murray Street
- Parking Meter Duration**

That the duration of the existing parking meters on both sides of James Street North between Barton Street and Murray Street be changed from one hour to two hours, and that City Traffic By-law 89-72 be amended accordingly.

30. Rosslyn Avenue North, north of Main Street East - Parking Meter Duration

That the duration of the two existing parking meters on the east side of Rosslyn Avenue North, north of Main Street East, be changed from one hour to three hours, and that City Traffic By-law 89-72 be amended accordingly.

31. St. Michael's School, 135 Hester Street – Request for a School Bus Loading Zone

That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Hester Street, commencing 146 feet east of Deschene Avenue and extending to a point 118 feet easterly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

32. Dowsar Marine Supplies, 522 James Street North – Request to Revise the Hours of a Loading Zone

That the hours of the existing "No Parking, 8:30 a.m. to 5:00 p.m., Monday to Friday" regulation on the north side of Macauley Street East commencing 115 feet east of James Street North and extending to a point 36 feet easterly therefrom be revised, such that the regulation is in effect from 9:00 am to 7:00 p.m., Monday to Friday, and that the City Traffic By-law 89-72 be amended accordingly.

33. West side of Locke Street South, between Bold Street and Melbourne Street – Request to Remove a Loading Zone

That the existing full-time "No Parking" loading zone on the west side of Locke Street South commencing 50 feet south of the south limit of Bold Street and extending to a point 22 feet southerly therefrom be removed, and that the City Traffic By-law 89-72 be amended accordingly.

34. Royal Tavern, 94 MacNab Street North – Request for a Loading Zone

That a "No Parking" regulation be implemented on the south side of Vine Street, commencing 68 feet east of MacNab Street North and extending to a point 24 feet easterly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

35. No. 82 Pearl Street North - Request to Remove a Wheelchair Loading Zone

That the existing "Wheelchair Loading Zone, 12:00 noon to 8:00 p.m., seven days a week" regulation on the east side of Pearl Street North, commencing at a point 32 feet south of Peter Street and extending to a point 15 feet southerly therefrom, be removed and that the City Traffic By-law be amended accordingly.

36. Lotus Avenue, west of Upper James Street – Driveway Clearance

That a full-time "No Stopping" regulation be implemented on the north side of Lotus Avenue commencing at a point 93 feet west of Upper James Street and extending to a point 30 feet westerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

37. 1809 Upper Wentworth Street – Driveway Clearance

That a "No Stopping" driveway clearance be implemented on the east side of Upper Wentworth Street commencing at the north edge of the driveway to 1809 Upper Wentworth Street and extending to a point 75 feet northerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

38. Turn Restriction – Dundurn Street South and Aberdeen Avenue

That the "No Right Turn on Red" restriction for northbound traffic on Dundurn Street South at Aberdeen Avenue be effective only between 07:00 and 09:00 hours, Monday to Friday, and that the City Traffic By-law 89-72 be amended accordingly.

39. Appointment of Parking Control Officers

- (a) That, in accordance with Section 15(1) of the Police Services Act, 1990, the following person be appointed as a Parking Control Officer:

John DiMarino

- (b) That the following appointments as Parking Control Officers be repealed:

Raymond Vella
Ray Baglole
Iyad Abdel-Baki
Jackie Maxwell
Jeff Danby.

40. Neighbourhood Watch Program for the Strathcona Neighbourhood

- (a) That the Strathcona Neighbourhood be designated as a Neighbourhood Watch Area; and,
- (b) That Neighbourhood Watch signs for the Strathcona Neighbourhood be erected and maintained by the Department of Public Works and Traffic, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and,
- (c) That the necessary funds be charged to the Neighbourhood Watch Program, Account No. CH-55301-75030.

41. Cannon Bus Route - Bus Stop Relocations

- (a) That the following Hamilton Street Railway bus stop be relocated:

Route #3 Cannon

Delete -	Eastbound	Britannia Avenue, south side, 18 feet west of Cope Street (N/S); and
Add -	Eastbound	Britannia Avenue, south side, 20 feet west of Tragina Avenue (N/S); and
Delete -	Eastbound	Britannia Avenue, south side, 20 feet west of Weir Street (N/S); and

Add - Eastbound Britannia Avenue, south side,
20 feet west of Fairfield
Avenue (N/S); and,

- (b) That the City Traffic By-law 89-72 be amended accordingly.

42. 1999 Servicing Expenditures Related to Subdivisions

- (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreements with the Owners for the estimated costs of services in:

"GOURLEY ESTATES STAGE 2 – PHASE 1", Hamilton

City's share – NIL -, Owner's share \$ 11,260.80

"THE GARDENS OF RYMAL – PHASE 5", Hamilton

City's share \$ 4,927.56, Owner's share \$ 230,956.25

"THE GARDENS OF RYMAL – PHASE 6", Hamilton

City's Share \$ 21,709.43, Owner's Share \$ 188,390.23

"PARADISE GATE ESTATES – PHASE 2", Hamilton

City's Share - NIL -, Owner's Share \$ 137,597.01

"ANNABELLE PLACE, Hamilton

City's Share \$ 39,283, Owner's Share \$ 102,943

"ANCHOR ROAD INDUSTRIAL PARK", Hamilton

City's Share \$ 67,985, Owner's Share \$ 471,470

"SANDRINA GARDENS – PHASE 4" Hamilton

City's Share \$ 20,294.11, Owner's Share \$ 197,806.90

- (b) That the Mayor and Municipal Clerk be authorized and directed to execute the proposed Subdivision Agreements with the Owners of "Gourley Estates Stage 2 – Phase 1", "The Gardens of Rymal – Phase 5", "The Gardens of Rymal – Phase 6", "Paradise Gate Estates – Phase 2", "Annabelle Place", "Anchor Road Industrial Park", and "Sandrina Gardens – Phase 4", Hamilton, as well as any other related documents for these Subdivisions, subject to the approval of Corporate Counsel; and,
- (c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,
- (d) In the event that the owner wishes to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered, the Owners should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing; and,
- (e) That the City's share of services in "The Gardens of Rymal – Phase 5" (\$4,927.56), "The Gardens of Rymal – Phase 6" (\$21,709.43), "Annabelle Place" (\$39,283), "Anchor Road Industrial Park" (\$67,985) and "Sandrina Gardens – Phase 4" (\$ 20,294.11), be approved, and that the Finance and Administration Committee recommend the source of funding.

43. To Incorporate Certain City Land into Various Streets by By-Laws

- (a) That the following City land be incorporated into the following streets:

Benjamin Drive	Parts 24, 27, 28, 29	62R-11691
Donn Avenue	Part 15	62R-8380
Elmore Drive	Block 9	62M-332
	Parts 3, 5	62R-14109
	Parts 1, 3	LT494229
Royalvista Drive	Block 66	62M-556
	Part 9	62R-14109
Theodore Drive	Parts 21, 23, 30	62R-11691
- (b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of Corporate Counsel and be enacted by Council; and,
- (c) That the General Manager of Transportation, Operations and Environment be authorized and directed to register the by-laws.

44. 1999-2001 Street Vendors Program

That Street Vendor locations be awarded for the period commencing May 1999 to December 31, 2001 to the successful proponents, one cart per location, as listed in Appendix "A" attached, subject to confirmation of the following:

- (a) That the products offered for sale are approved by the Hamilton-Wentworth Regional Health Department; and,
- (b) That the submitted bids remain unchanged following the review and confirmation by the Health Department; and,
- (c) That each proponent enter into a legal agreement satisfactory to Corporate Counsel; and,
- (d) That the Municipal Clerk and Mayor be authorized to execute the necessary agreements.

45. Proposed Deletion of the Walkway located between Forestgate Drive and Wendover Drive

- (a) That the General Manager of Transportation, Operations and Environment be authorized and directed to prepare a by-law to stop up, close and sell the public walkway located between Forestgate Drive and Wendover Drive; and,
- (b) That the General Manager of Transportation, Operations and Environment be authorized and directed to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 44 of the Regional Municipality Act; and,
- (c) That the Municipal Clerk be authorized and directed to publish a notice pursuant to Section 300 of the Municipal Act, R.S.O. 1990, of the City's intention to pass the By-law.

46. Partial Closure of Limeridge Road at Upper Ottawa Street

- (a) That a proposed road closure by-law for the closure of Limeridge Road East, immediately west of Upper Ottawa Street, to westbound vehicular traffic only, be advertised in accordance with the requirements of the Municipal Act; and,

- (b) That the Region be notified of City Council's intention to close this section of road, subject to the outcome of the public advertising.

47. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-13 A By-law to alter Hess Street, between King Street West and Jackson Street, and George Street, from Hess Street South to approximately 65 metres easterly.
- (b) A-14 A By-law to incorporate City Land designated as Parts 24, 27, 28 and 29 on Plan 62R-11691 into Benjamin Drive.
- (c) A-15 A By-law to incorporate City Land designated as Part 15 on Plan 62R-8380 into Donn Avenue.
- (d) A-16 A By-law to incorporate City Land designated as Block 9 on Plan 62M-332, Parts 3 and 5 on Plan 62R-14109, and Parts 1 and 3 on Plan LT494229 into Elmore Drive.
- (e) A-17 A By-law to incorporate City Land designated as Block 66 on Plan 62M-556 and Part 9 on Plan 62R-14109 into Royalvista Drive.
- (f) A-18 A By-law to incorporate City Land designated as Parts 21, 23 and 30 on Plan 62R-11691 into Theodore Drive.
- (g) A-19 A By-law to amend Traffic By-law No. 89-72 to Regulate Traffic.
- (h) A-20 A By-law to amend Traffic By-law No.89-72 to Regulate Traffic.

Respectfully submitted

**ALDERMAN CHAD COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

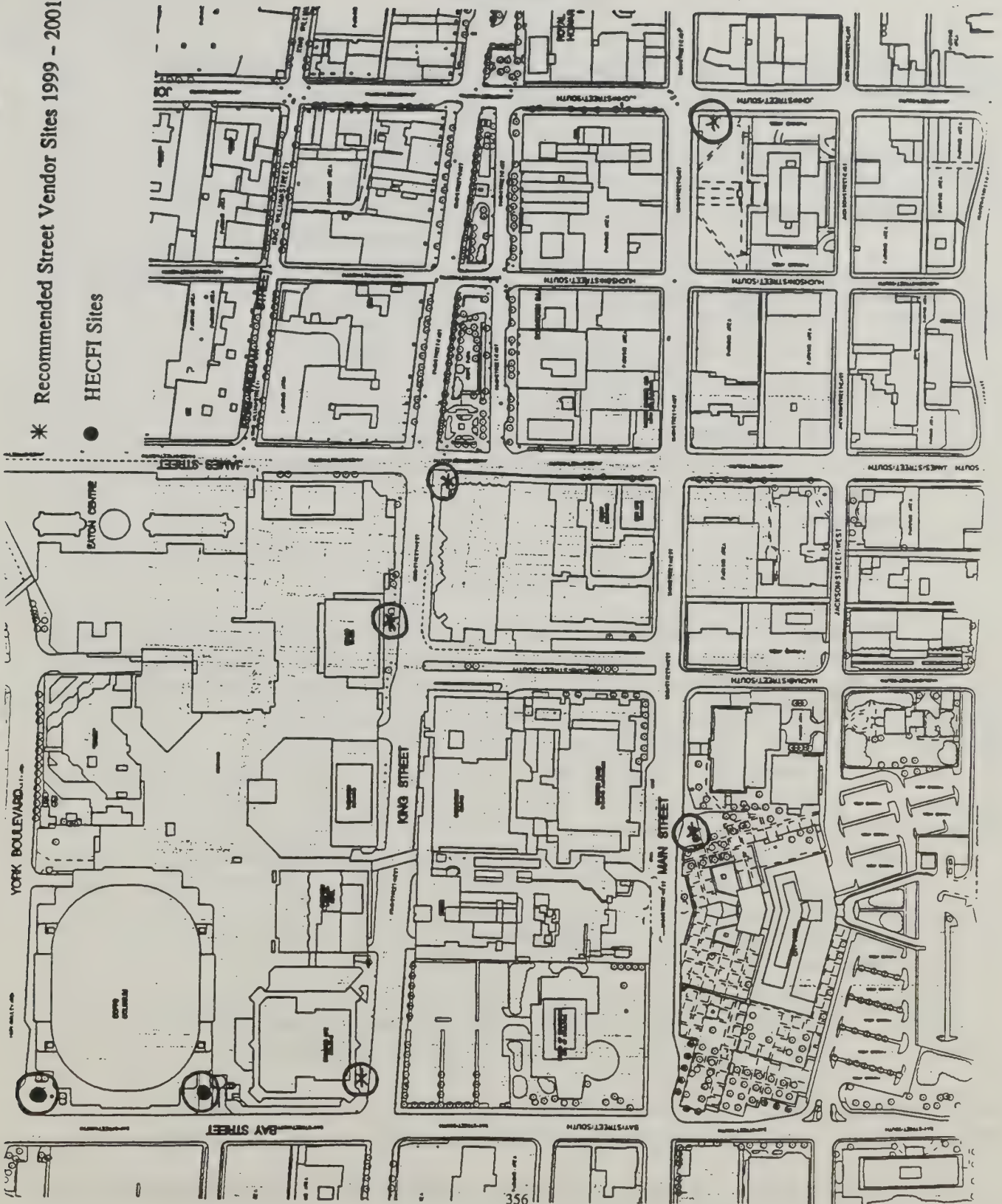
Carolyn Biggs
Acting Secretary
April 19, 1999

**City of Hamilton
1999-2001 Street Vendor Program**

Recommended Operators at Approved Locations

<u>Name</u>	<u>Location</u>	<u>Products</u>	<u>Fee</u>
Teresa Lynn Romeo	s/w corner of James St. & King St.	Sausages/ Hot Dogs/ Veggie Dogs Soft Drinks/ Juice/Water	\$20,400
Teresa Lynn Romeo	Stelco Tower - King St. W.	as above	\$ 6,500
Roger Auger	Court House (between Hughson and John Streets)	Sausages/ Hot Dogs Soft Drinks/ Juices/ Water	\$ 5,050
Roger Auger	City Hall Forecourt	as above	\$ 2,050
Michael Orzel	Standard Life Bldg. (King W. and Bay St.)	Sausages/ Hot Dogs Soft Drinks	\$ 3,200

HECFI Sites



REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FIFTH** Report for 1999 and respectfully recommends:

1. Spirit of Sport Task Force

That the Spirit of Sport Task Force be empowered to proceed with its work plan in consultation with the Department of Culture and Recreation and report to the Parks and Recreation Committee.

2. Sale of Alcohol Beverages – Various Parks

That approval as required by the Parks By-law 95-126 as amended, Section 11, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to the following organizations to allow the sale of alcohol in the locations and on the dates specified:

- (a) Wentworth Adult Mixed Slo-Pitch League Season Opening Tournament – June 5 and June 6, 1999 – Turner Park; and,
- (b) The Hamilton Professional Firefighters Associations – 1st Annual Charity Slo-Pitch Tournament – June 26 and June 27, 1999 – Turner Park.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Morelli, Haining, Wilson, Eisenberger, Anderson, Kelly, D'Amico, O'Sullivan. –11.

NAYS: Alderman Jackson. -1.

CARRIED.

3. 1999 Special Events with Alcohol, Non-Alcohol, Animals, Amusement Rides and Parking Vehicles in a Park

- (a) That approval as required by Parks By-law 95-126, Section 11, to sell alcoholic beverages; Section 29, to park vehicles in a park; Section 35, to bring horses in a park, Section 37, to bring animals into a park and to hold carnival rides in a park be given to the following organizations:

- (i) St. Demetrios Greek Orthodox Church – OPA Festival, Victoria Park - July 29 to August 2, 1999, 12:00 o'clock noon to 11:00 o'clock p.m.; and,
- (b) That approval as required by Parks By-law 95-126 as amended, Section 11, be given to the following organizations to allow the sale of alcohol in a park:
 - (i) Hamilton & District Labour Council – Labour Day Parade Beer Garden, Dundurn Park Pavilion September 6, 1999, 11:00 o'clock a.m. to 5:00 o'clock p.m.; and,
 - (ii) The Greater Hamilton Chinese Dragon Boat Race Society Beer Garden, Bayfront Park - July 10, 1999, 12:00 o'clock noon to 11:00 o'clock p.m.; and,
- (c) That the approvals given in sub-sections (a) and (b) be subject to the Standard Terms and Conditions of the Special Events Guidelines.

4. Termination of Concession Contract, Ruth Hrycko – Globe Park

- (a) That the contract for Concession Services at Globe Park between the City of Hamilton and Ruth Hrycko, for a term of three years commencing May 29, 1997 and completing October 1, 2000, be terminated; and,
- (b) That this site be added to the Street Vendor Permit Proposal as an addenda; and,
- (c) That should a cart vending permit be issued that the hours of operation for this location be limited to the approved program schedule; and,
- (d) That the Director of Legal Services and Corporate Counsel prepare the necessary documents.

5. Hamilton Senior Games: Local Golf Tournament, Chedoke–Martin Golf Course – May 10, 1999 and King's Forest Golf Course – August 18, 1999

That the General Manager, Community Services be authorized to waive green fees in order to host the annual Hamilton Senior Games Golf Tournament at Chedoke-Martin Golf Course, May 10, 1999 with a rain date of May 17 and the Hamilton Senior Games Regional Golf Tournament at King's Forest Course, August 18, 1999 (rain or shine).

6. Licence Agreement, Mr. Brian Hanson, Concession Operation – Bernie Arbour Stadium

- (a) That approval be granted to enter into a licence agreement in a form satisfactory to the Director of Legal Services and Corporate Counsel with Mr. Brian Hanson, Owner, Hamilton Cardinals Baseball Club, for the operation of the concession at Bernie Arbour Stadium for a term of five years commencing May 1, 1999 and terminating April 30, 2004 at a monthly rental rate of \$200, for each month of occupation; and,
- (b) That the City of Hamilton reserve the right to prohibit the selling of food, drink, novelties and confections or any of them before, during and after special events (as determined at the sole discretion of the General Manager of Community Services) where a special request is made to the City provided the Club will be notified in writing at least five (5) days in advance of the event; and,
- (c) That the Hamilton Cardinals Baseball Club, Brian Hanson, be given the sole responsibility and approval to sell, produce, install, maintain, remove, store and insure, fence sign board advertising, of which all signs must receive prior approval of the General Manager of Community Services, with all costs being borne by Brian Hanson.

7. Declaration of Surplus Property – Barton Community Centre Property – No. 1389 Upper James Street, Hamilton

- (a) That the property at 1389 Upper James Street with a frontage of 30.5 metres (100 feet) more or less, by a depth of 174 metres (571 feet) more or less, containing 0.53 hectares (1.31 acres), known as the Barton Community Centre, be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,
- (b) That the Real Estate Division be authorized and directed to negotiate the sale of this property in accordance with the Real Property Sales Procedural By-law No. 95-049.

8. Canada Millennium Partnership Program Funding Application – Hamilton Children's Museum

That the General Manager, Community Services Division be authorized to apply to the Canada Millennium Partnership Program for a Federal Government grant of \$3,000 to assist with the Hamilton Children's Museum exhibit entitled "Crazy About Canada".

9. **Young Canada Works Fund Application – Hamilton Children's Museum, the Conservation Laboratory and Whitehern**

That the General Manager, Community Services Division be authorized to apply as a partner to the Department of Canadian Heritage under the Young Canada Works in Heritage Institutions Project, to provide three job creation opportunities for youths at the Hamilton Children's Museum, the Conservation Laboratory and Whitehern.

10. **Millennium Funding Application – Dundurn Estate Landscape**

That the General Manager, Community Services Division, be authorized to apply to the Canada Millennium Partnership Programme for a grant of up to \$530,000 for the restoration of the nationally designated picturesque landscape of the Dundurn Estate.

11. **Museums Collections Conservation Policy**

That the Collections Conservation Policy for the City of Hamilton Museums, attached hereto and marked as Appendix "A", be approved.

12. **Annual Attractions Canada Awards – Application for Whitehern to Participate**

- (a) That the General Manager, Community Services Division, be authorized to submit an application for Whitehern to participate in the Attractions Canada National Awards Contest; and,
- (b) That the aforementioned application, be sponsored by the Hamilton Historical Board.

13. **Authorization of Delegate to attend the 1999 Canadian Museum Association Conference**

- (a) That a Hamilton Historical Board member be authorized to attend the Canadian Museum Association Conference to be held from April 29 to May 1, 1999 in Toronto, Ontario; and,
- (b) That the Conference costs in the estimated amount of \$450 be financed through the Legislative Travel Account No. CH 55201 10010.

14. Community Arts Ontario Conference

- (a) That a representative of the Arts Advisory Commission attend the Community Arts Ontario Conference to be held May 1 and May 2, 1999 in Mississauga; and,
- (b) That the conference costs in the estimated amount of \$300 be financed through the Legislative Travel Account No. CH 55201 10010.

15. 1999 – 2001 Park Vendors Program

That Park Vendor locations be awarded for the period commencing May 1999 to December 31, 2001 to the successful proponents, one cart per location, as listed on Appendix "B" attached hereto, subject to confirmation of the following:

- (a) That the products offered for sale are approved by the Hamilton-Wentworth Regional Health Department; and,
- (b) That the submitted bids remain unchanged following the review and confirmation by the Health Department; and,
- (c) That each proponent enter into a legal agreement satisfactory to the Director of Legal Services and Corporate Counsel; and,
- (d) That the Municipal Clerk and Mayor be authorized to execute the necessary agreements.

16. Appointment of Citizen Members – Hamilton Historical Board

That the following citizens be appointed to serve on the Hamilton Historical Board:

Carolyn McCann	for a term to expire November 30, 2000
Sue Elliot	for a term to expire November 30, 2002
Jennifer Reynolds	for a term to expire November 30, 2002

ADDED.

Respectfully Submitted,

**ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

Mary Gallagher, Acting Secretary
April 19, 1999

CITY OF HAMILTON MUSEUMS COLLECTIONS CONSERVATION POLICY

1. INTRODUCTION

The City of Hamilton, through the Department of Culture and Recreation, is committed to the preservation of a wide variety of heritage material held in the City's five museums: Whitehern, the Hamilton Museum of Steam and Technology, the Hamilton Military Museum, the Children's Museum and Dundurn Castle.

One of the primary mandates of each of the City of Hamilton Museums is to preserve the artifact collection in the best manner possible for future generations. This policy provides guidance and direction for the care and maintenance of those collections.

This policy does not address preservation issues concerning The City of Hamilton Museums' three designated heritage buildings: Dundurn Castle, Whitehern, and the Hamilton Museum of Steam and Technology. These issues are addressed in a separate Heritage Buildings Conservation Policy.

2. GENERAL PRINCIPLES

- 2.1 All decisions regarding the preventive and restorative conservation of City of Hamilton Museums (CHM) artifacts will be in keeping with the ethics and standards of practice set by the International Museum and Conservation professions.
- 2.2 The CHM recognizes that preventive conservation of the collections is the most effective means of conserving its cultural material. Preventive conservation techniques for the collections as a whole will in general be put before treatment of individual artifacts.
- 2.3 The CHM will ensure that every artifact in the collection be housed and presented according to the highest standards. Preservation concerns are equal for all artifacts, whether on display, in storage, or on loan.
- 2.4 The CHM will ensure that sufficient staff and funds are provided to ensure buildings, systems and collections are properly maintained.

- 2.5 The CHM will continue to monitor and assess the impact of its activities on the preservation of the collections.
- 2.6 The City of Hamilton will provide for the CHM sufficient space and resources for the purpose of carrying out preventive and treatment conservation activities.

3. OPERATIONAL PRINCIPLES

3.1 CARE AND HANDLING

- 3.1.1 Artifacts in the CHM collections will be handled only by staff and non-staff as approved by the site Curator.
- 3.1.2 All staff and outside persons permitted to handle CHM artifacts will follow conservation standards for the handling of artifacts. These standards will be provided in written guidelines.
- 3.1.3 All staff working with CHM collections will receive Artifact Care and Handling training.
- 3.1.4 CHM staff involved in the day to day maintenance of collections will follow a written Collections Maintenance Plan.
- 3.1.5 All outside tradespersons, club members, etc. working at the CHM will receive written guidelines on the precautions to be taken when working in proximity to heritage collections.
- 3.1.6 When transporting artifacts, the CHM will follow accepted conservation standards with regards to packing procedures and materials.

3.2 SECURITY

- 3.2.1 All areas where collections are stored, displayed, or maintained will be monitored for vandalism, theft and fire by security systems that are routinely inspected and periodically assessed for effectiveness.
- 3.2.2 All CHM staff will perform passive security in the museum during open hours to ensure the collection is safe from random theft and vandalism.
- 3.2.3 All CHM will have an Emergency Plan that is revised annually.
- 3.2.4 All CHM will maintain an Integrated Pest Management program.

- 3.2.5 The CHM will follow written Building Maintenance Plans in order to protect the collections from damage through physical plant failures.

3.3 STORAGE

- 3.3.1 Artifacts not on display will be stored in areas that are designated for artifact storage only.
- 3.3.2 Artifact storage areas will be large enough to safely house the collections stored in them.
- 3.3.3 Access to the artifact storage areas will be limited to designated staff.
- 3.3.4 Artifacts not on display will be stored in areas that have controlled and monitored environments for light, relative humidity, pests and pollutants.
- 3.3.5 Artifacts in storage will be routinely inspected for damage.
- 3.3.6 Only conservation approved systems and materials will be used to support and house artifacts in storage.
- 3.3.7 Where artifact storage space is limited and/or below accepted museum standards, CHM will limit the acquisition of new artifacts.

3.4 EXHIBITION

- 3.4.1 The condition of each artifact that is considered for display at the CHM will be assessed.
- 3.4.2 The CHM will control and monitor environmental conditions to accepted conservation levels, i.e. visible light, ultraviolet radiation, relative humidity, temperature, and pollutants, in all areas where artifacts are on display.
- 3.4.3 The CHM will provide appropriate physical support and protection from chemical damage for all artifacts on display.

3.5 LOANS

- 3.5.1 The condition of all artifacts considered for loan will be assessed. Only artifacts in good condition will be permitted for loan.
- 3.5.2 The condition of i) artifacts leaving the CHM for purpose of loan and, ii) artifacts on loan from other institutions, will be documented.
- 3.5.3 Loaning institutions must be able to provide appropriate conservation standards

with regard to environment and security while CHM artifacts are in their care.

- 3.5.4 The CHM will provide appropriate conservation standards with regard to environment and security for artifacts on loan from other institutions.

3.6 TRAINING

- 3.6.1 Preventive conservation information and training will be provided for all CHM staff and outside persons working with the CHM collections.
- 3.6.2 Conservation staff will participate in continuing education and professional development in order to keep abreast of current information and to ensure high standards are maintained at the CHM.
- 3.6.3 The CHM will provide internships for conservation students, and information and training opportunities for heritage professionals where appropriate.

3.7 TREATMENT

- 3.7.1 Treatments of CHM artifacts will only be performed within the parameters of the recognized conservation 'Code of Ethics and Guidance for Practice'.
- 3.7.2 The CHM will ensure that treatments are carried out to the highest professional standards, using the minimum amount of intervention necessary to stabilize and/or preserve the item.
- 3.7.3 All treatments will be carried out by the CHM Conservator or an outside Conservator approved of, and monitored by, the staff Conservator. Basic maintenance procedures can be undertaken by other staff under the guidance of the Conservator.
- 3.7.4 All treatments will be documented. Documentation includes photodocumentation and the written recording of the condition of the item before treatment and the methods and materials used in treatment.

4. ROLE OF THE CONSERVATOR

- 4.1 Co-ordinate the preservation activities for the benefit of the CHM collections.
- 4.2 The CHM Conservator is responsible for provide guidance through consultation, training and written guidelines to other CHM staff on how to best preserve CHM collections. The CHM Curators are responsible for ensuring preventive conservation activities are followed at their site and to obtain the advice of the Conservator where appropriate.

- 4.3 Manage the CHM Conservation resources for the overall benefit of all the collections.
- 4.4 Collect, analyze, and maintain records of environmental monitoring of the CHM sites.
- 4.5 Assess the condition of all artifacts being considered for acquisition, deaccessioning, exhibition and loan.
- 4.6 Develop and co-ordinate Emergency Plans for each of the City of Hamilton Museums.
- 4.7 Develop and co-ordinate an Integrated Pest Management program for the CHM and storage facilities.
- 4.8 Examine and document the condition of artifacts in the CHM collections as needed and maintain conservation records.
- 4.9 Carry out conservation treatments on individual items. Co-ordinate treatments by outside professionals.
- 4.10 Liaise with outside Conservation professionals to keep abreast of, and share information regarding, current research into materials and techniques of conservation, environmental issues and other matters affecting the conservation of collections.
- 4.11 Provide specialist conservation information to public institutions, community groups, and individual custodians of cultural materials.

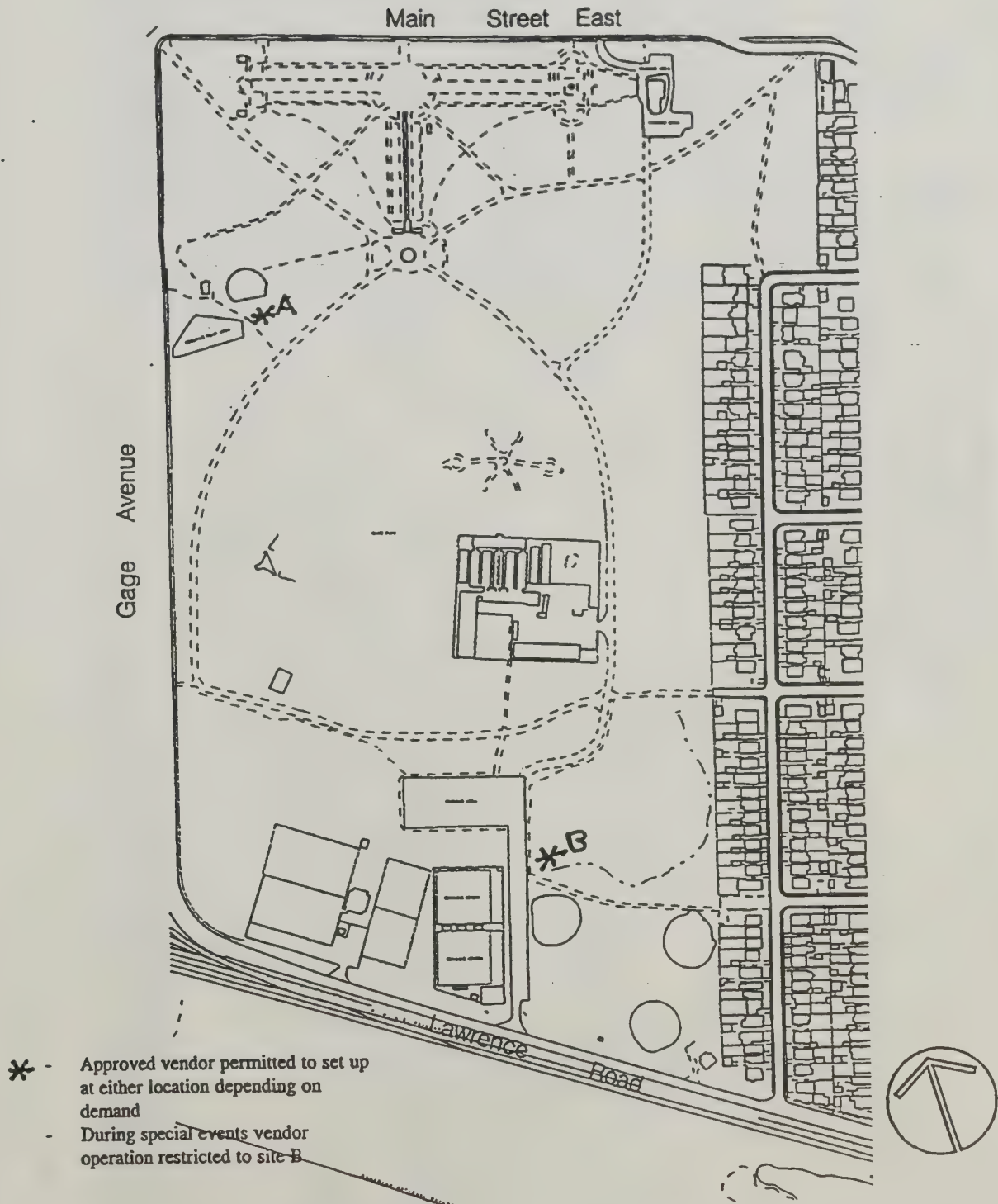
January 1999

Appendix "B" as referred to in
Section 15 of the FIFTH
Report of the Parks and Recreation
Committee for 1999

**City of Hamilton
1999-2001 Park Vendor Program**

Recommended Operators at Approved Locations

<u>Name</u>	<u>Location</u>	<u>Products</u>	<u>Fee</u>
Summertime Snow c/o Karen & Larry Charters	Bayfront Park	Shaved Ice Flavours Fries Sausage/Hot Dogs Soft Drinks/Juices/ Water Snacks Ice Cream	\$6,000
Summertime Snow c/o Karen & Larry Charters	Pier 4 Park	as above	\$6,000
Willy Dog c/o Jim Bontaine	Gage Park	Sausages/ Hot Dogs Soft Drinks/ Juices/Water	\$3,095



Project
GAGE PARK

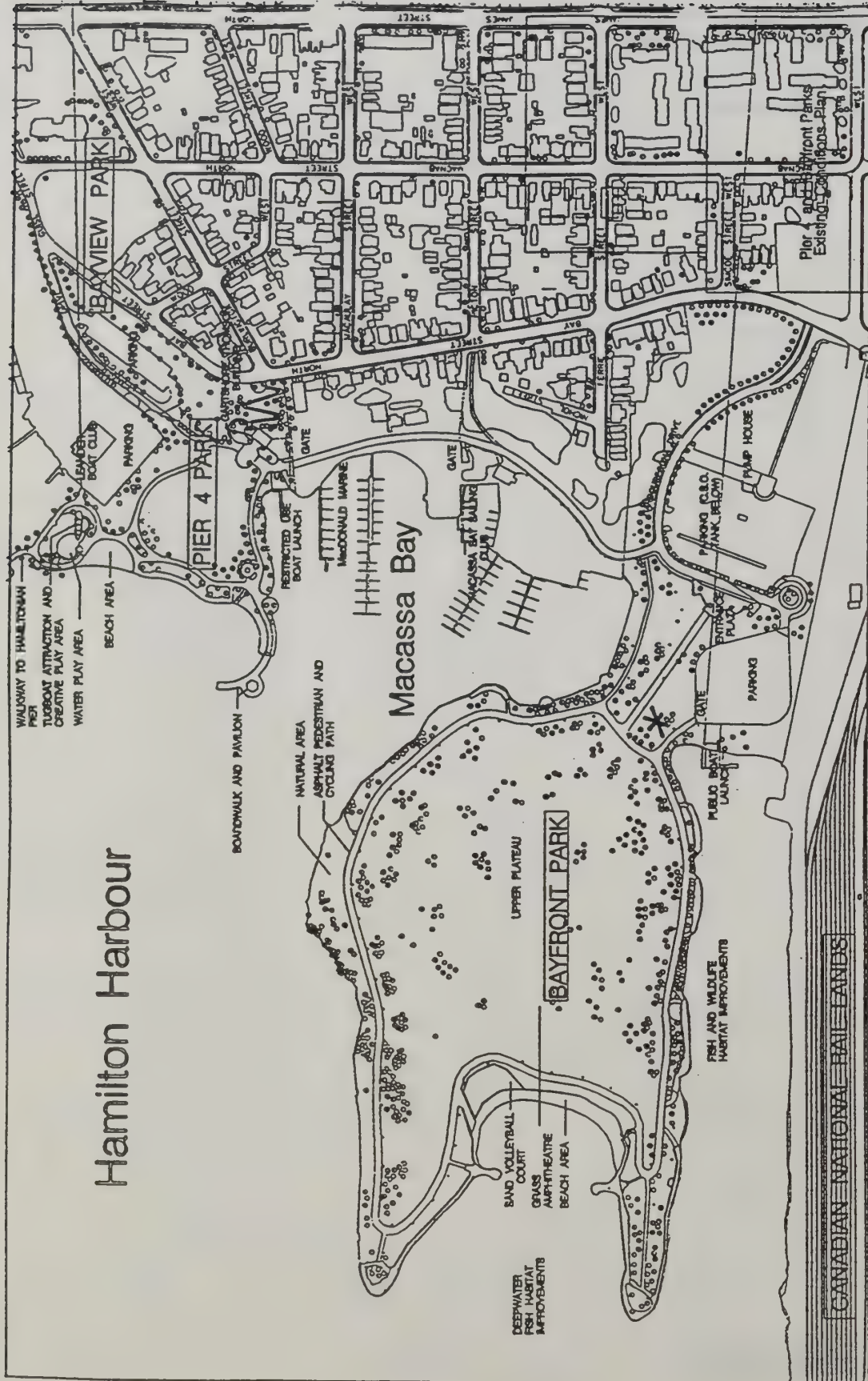
Title
VENDOR OPERATIONS

Date NOV/98

Scale 1:4000

Dwg. No.
RTE. 4 5

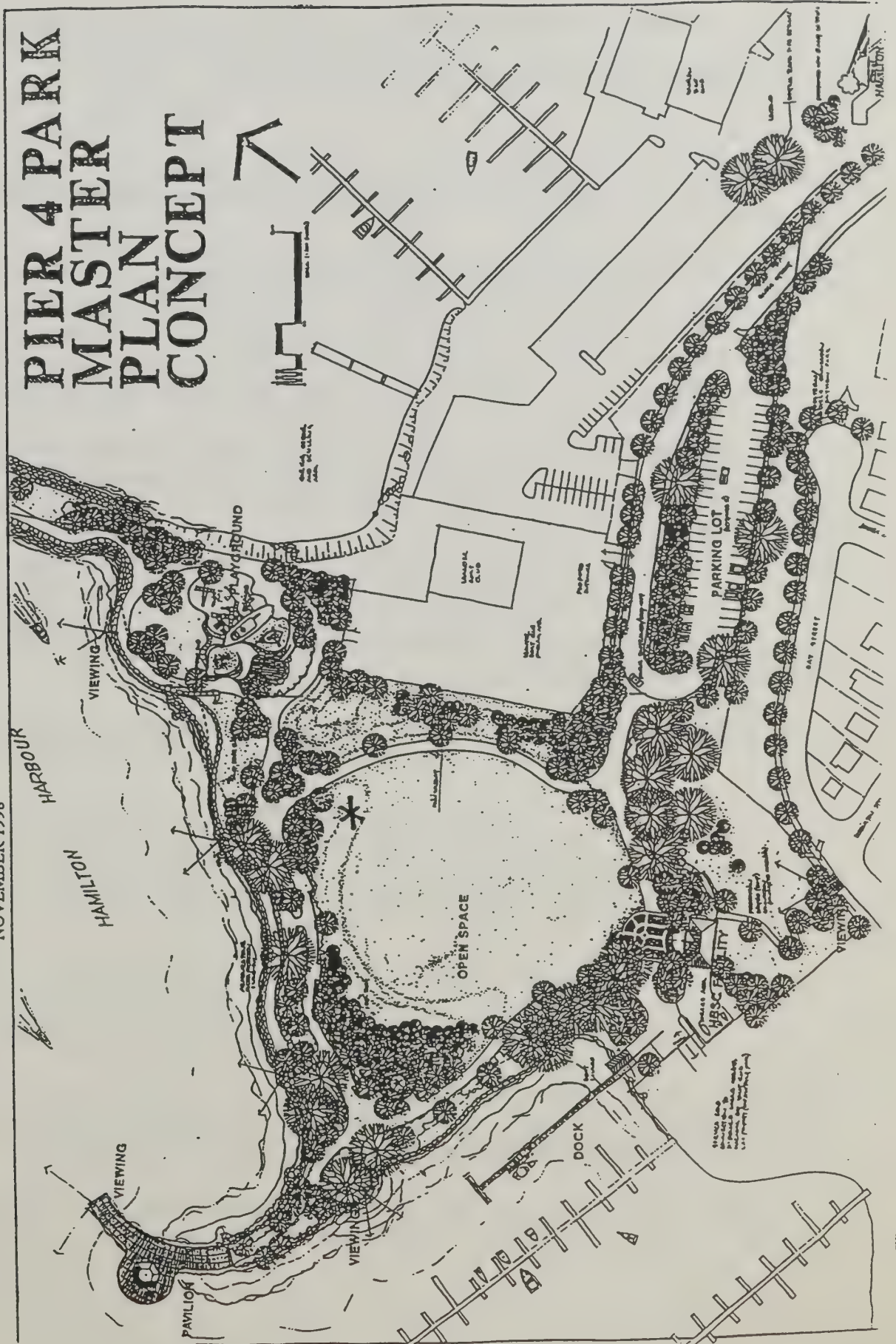
Schedule A - Bayfront Parks



* Approved Vendor Location
NOVEMBER 1998

Schedule A - Pier 4 Park

* Approved Vendor Location
NOVEMBER 1998



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TENTH** Report for 1999 and respectfully recommends:

1. ZA-99-05, for property at Rexford and Robertsville Drive

That approval be given to Zoning Application 99-05, 1272689 Ontario Ltd., Alwilayad Islamic Association, owner (c/o Hussein Ghaddar), requesting changes in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Residential, etc.) District for Block "1" and to "R-4" – 'H' (Small Lot Single-Family Residential, etc.- Holding) District for Block "2", for the property located at the northeast corner of Rexford and Robertsville Drive, as shown on the attached map marked as APPENDIX "A", on the following basis:

- (a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., 1990, to Block "2" of the subject lands by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of Block "2" until:
 - (i) The owner acquires the parcel of land shown as Block 26 on Plan 62M-454 and merges it in title with Block "2"; and,
 - (ii) The owner pays all outstanding land, servicing, roadway costs to the City of Hamilton and the Region of Hamilton-Wentworth, prior to lifting the 0.3 m reserve adjacent to Robertsville Drive and that the owner be responsible for preparing the required Reference Plan to lift the 0.30 m reserve.

City Council may remove the 'H' symbol, and thereby give effect to the "R-4" District provisions as stipulated in this By-law by enactment of an amending By-law once the conditions are fulfilled; and,

- (b) That Block "1" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Residential, etc.) District; and,
- (c) That Block "2" be rezoned from "AA" (Agricultural) District to "R-4" – 'H' (Small Lot Single-Family Residential, etc. – Holding) District; and,

- (d) That the Director of Legal Services and Corporate Counsel be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38C for presentation to City Council; and,
- (e) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and,
- (f) That upon finalization of the implementing Zoning By-law, the subject lands be redesignated from "Civic and Institutional" to "Single and Double Residential" on the approved Randall Neighbourhood Plan.

2. ZA-99-02, 86 Mall Road

That Amended Zoning Application ZAC-99-02, by 774728 Ontario Limited (Gerald Luska) and Henesh Holdings Limited, owners, for a further modification to the "HH" (Restricted Community Shopping and Commercial, etc.) District to permit a billiard hall and restaurant, for lands known municipally as 86 Mall Road, as shown on the attached map marked as APPENDIX "B", be denied on the following basis:

- (a) it is incompatible with and has the potential for negative spillover effects (noise, parking, litter, etc.) on the surrounding land uses; and,
- (b) it conflicts with the intent of the approved Thorner Neighbourhood Plan.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Morelli, Haining, Wilson, Eisenberger, Jackson, Anderson, Kelly, O'Sullivan. -11.

NAYS: Alderman D'Amico. -1.

CARRIED.

3. Annabelle Place, Cash in Lieu of 5% Parkland Dedication

That the City of Hamilton now accept the sum of \$10,000 as a cash payment in lieu of the 5% land dedication in connection with "Annabelle Place", Hamilton being the cash payment required under section 51.1 of the Planning Act.

4. Demolition Permit, 1155 West 5th Street

That the Building Commissioner be authorized to issue a demolition permit for 1155 West 5th Street in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

5. Removal of Part Lot Control, Wellington Meadows, Phase 1

- (a) That approval be given to Part Lot Control Application 99-01, Scarlett Homes Ltd., owner, to remove part-lot control for Lots 2 – 18, inclusive and Lots 21 – 25, inclusive, located in "Wellington Meadows, Phase 1", Registered Plan 62M-877, known municipally as 1 – 53 Pineridge Drive, inclusive (excluding 21 and 33 Pineridge Drive) and, for the purpose of establishing maintenance easements, as shown on the attached map marked as Appendix "C"; and,
- (b) That the appropriate by-law, to remove part lot control from Lots 2 – 18, inclusive and Lots 21 – 25, inclusive, located in "Wellington Estates, Phase 1", Registered Plan 62M-877, be enacted by Council; and,
- (c) That the exempting by-law be restricted to a 1 year effective time period to expire on May 1, 2000; and,
- (d) That following the enactment of this by-law, the Director, Development Approvals, Community Planning and Development Division (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the by-law and endorse the same on the by-law.

6. Core Heritage Program, 34-36 Hess Street

That a grant for façade improvements, under the Core Heritage 2000 Program in the amount of \$12,242 to Intrilectual Investments Inc., registered owners of 34-36 Hess Street South, be approved.

7. Tax Incentive Program for Designated Commercial/Industrial Buildings in Hamilton's Downtown

That Item 5 of the NINTH Report of the Planning and Development Committee for 1999 which was approved by City Council at its meeting of April 13, 1999, regarding Tax Incentive Program for Designated Commercial/Industrial Buildings in Hamilton's Downtown, be amended by:

- (a) Increasing the time frame for the annual rebate from a five year period to a ten year period; and,
- (b) Directing that staff of the Community Planning and Development Division report back regarding possible methods of financing.

8. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

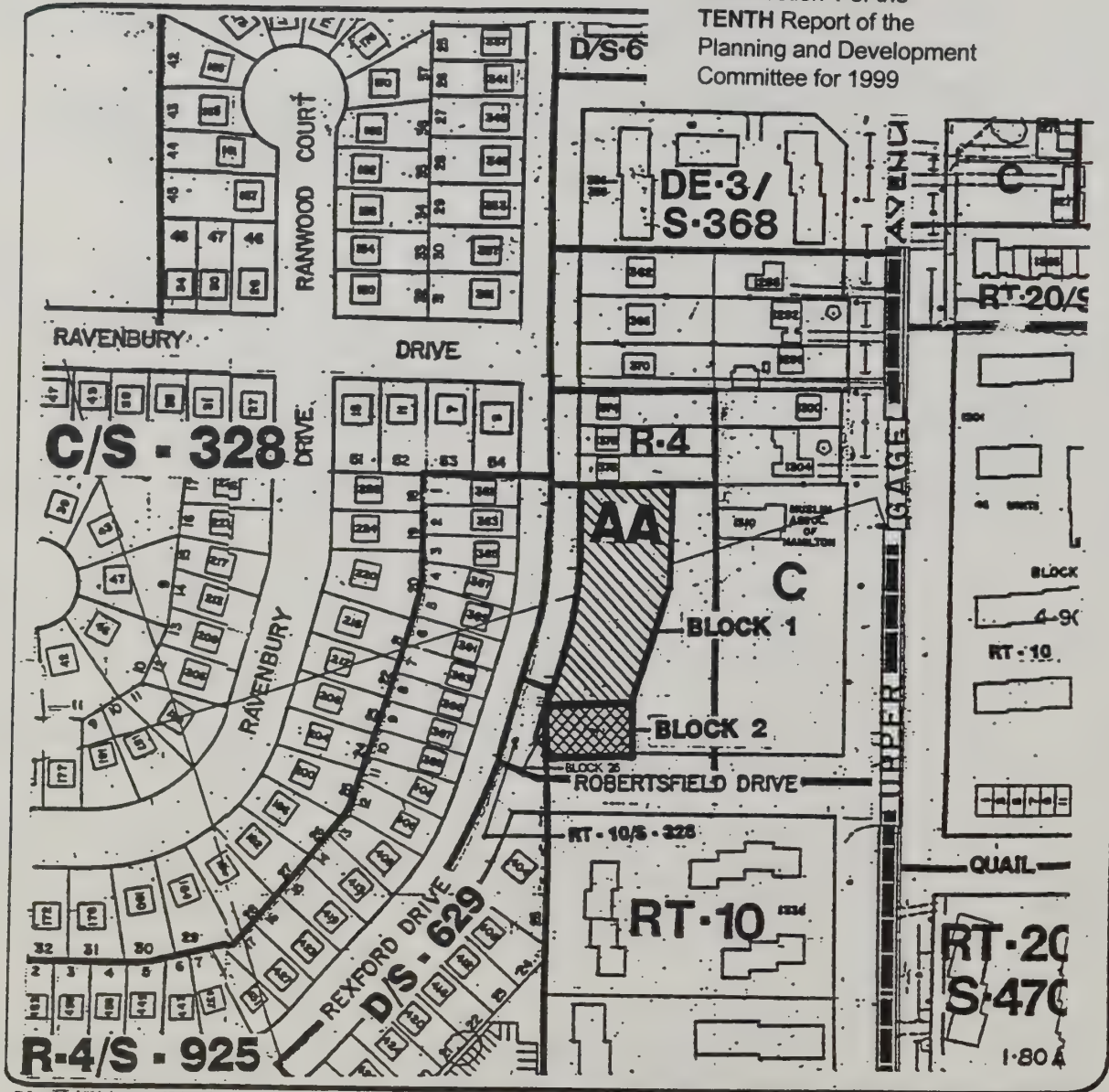
- (a) C-18 A By-law to Remove Land within the "Wellington Meadows, Phase 1" Subdivision, Plan 62M-877 from Part Lot Control.
- (b) C-19 A By-law to Adopt Official Plan Amendment No. 160 Respecting Heritage Impact Assessment.
- (c) C-20 A By-law to Adopt Official Plan Amendment No. 158 Respecting Lands Located at the Front of 723 Rymal Road West in the Carpenter Neighbourhood.
- (d) C-21 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 723 Rymal Road West.
- (e) C-22 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located East of Eleanor Avenue and South of Dalia Avenue/Dulgaren Street and Located at the Rear of 1501 Upper Sherman Avenue.
- (f) C-23 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 83-325 Respecting Land Located at Municipal No. 129 Rebecca Street.
- (g) C-24 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 98-210 Respecting Land Located at Municipal No. 1016 Upper Paradise Road.

Respectfully submitted,

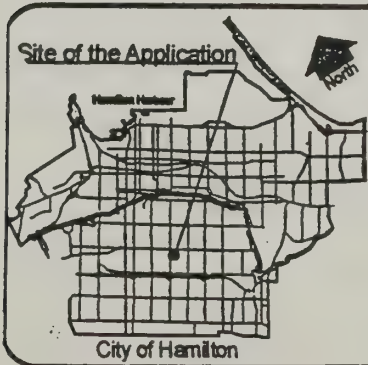
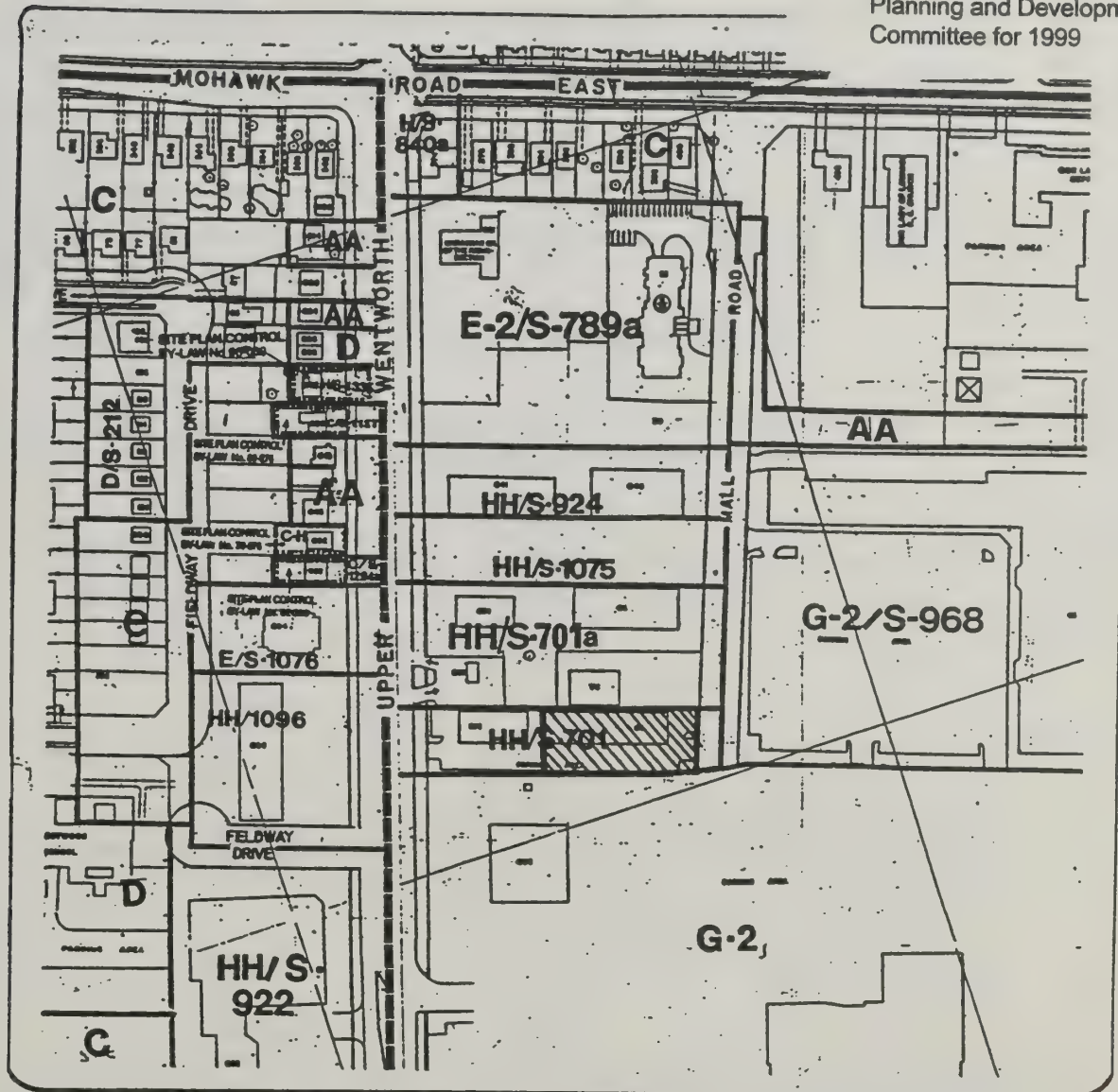
**ALDERMAN F.D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

Tina Agnello, Secretary
April 21, 1999

Appendix "A" referred
to in Section 1 of the
TENTH Report of the
Planning and Development
Committee for 1999



Site of the Application City of Hamilton			PLANNING AND DEVELOPMENT DEPARTMENT Location Map		Reference file: ZAC-99-05
Legend		Scale Not to Scale			
BLOCKS Change in Zoning from:	1 "AA" (Agricultural) to "R-4" (Small Lot Single Family Detach) District 2 "AA" (Agricultural) to "R-4" - "H" (Small Lot Single Family Detach) District - Holding	Date February, 1999			
		Technician: B. B.			
		North			



PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend



Site of the Application

Reference file:
ZAC-99-02

Scale
Not to Scale

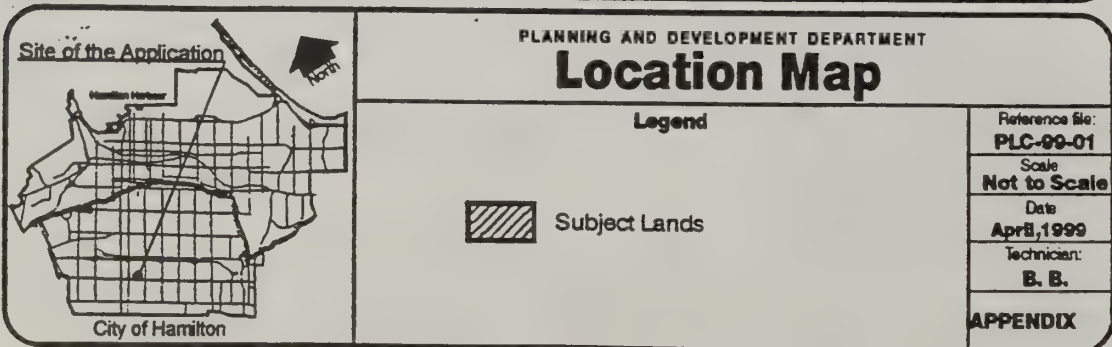
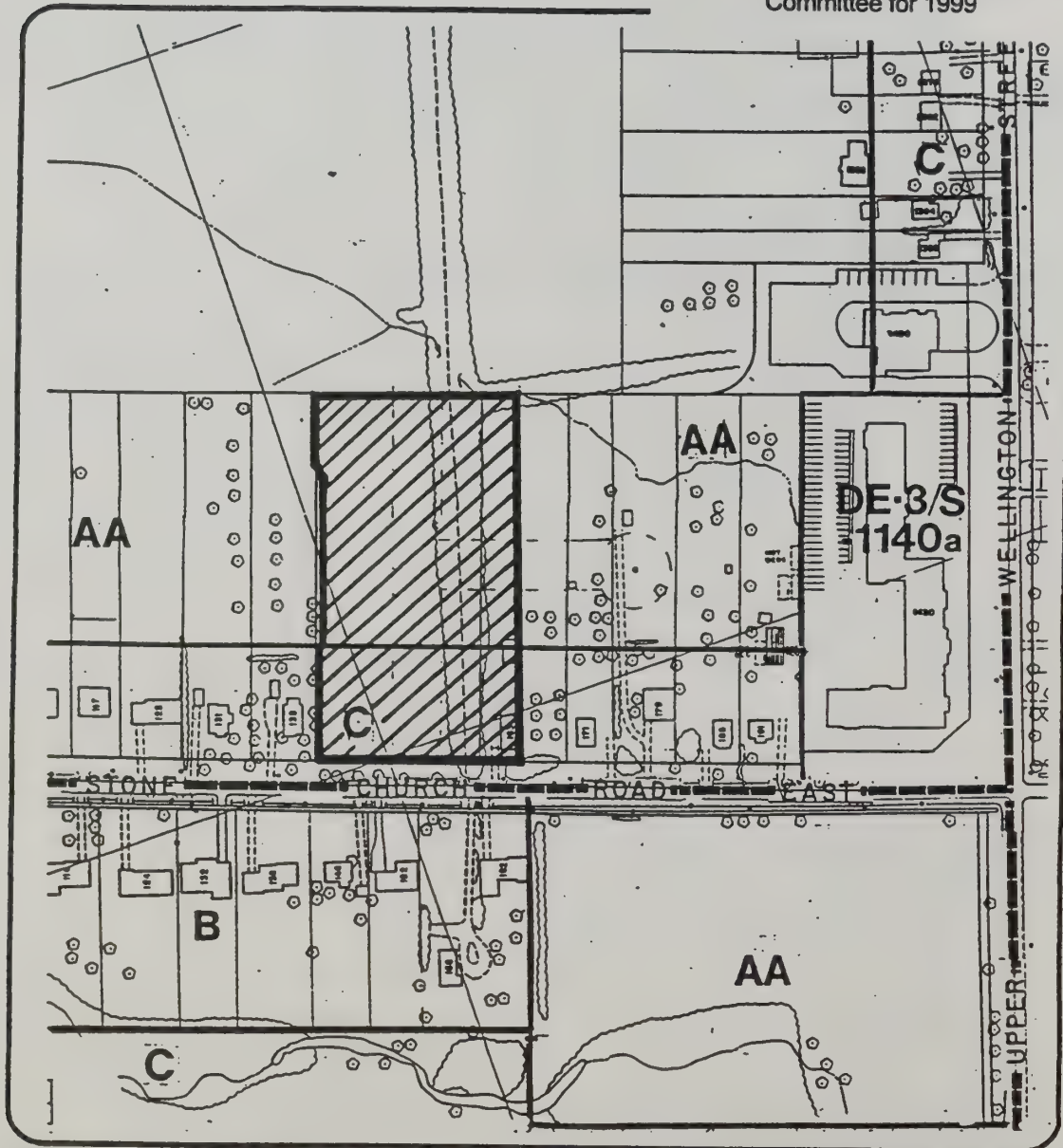
Date
March, 1999

Technician:
B. B.

APPENDIX

April 27, 1999

Appendix "C" referred
to in Section 5 of the
TENTH Report of the
Planning and Development
Committee for 1999



REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance and Administration Committee presents its **EIGHTH** Report for 1999 and respectfully recommends:

1. Request for Proposal – External Audit Services

- (a) That the issuance of a Request for Proposal for external audit services for the City of Hamilton be approved; and,
- (b) That Alderman C. Collins and Alderman D. O'Sullivan be appointed to serve on the Auditor Selection Committee along with Councillor G. Etherington and Councillor B. Charters, as the Regions Audit Sub-Committee representatives, the General Manager, Finance (or designate), and the Internal Auditor; and,
- (c) That the following timetable for the review of audit services be approved:

Proposal call approved by	April 19
Region – Audit Sub Committee	April 20
- F&AS	April 20
- Council	April 20
City - F&A	April 27
- Council	
RFP document finalized	April 28
RFP mailed	April 28
Proposal call advertised in local press	May 1
Information session	Wk. of May 10 (May 11 or 12)
RFP submissions closing date	May 26
Staff reviews and selection of short list of candidates	May 27-June 1
Selection Committees hear presentations of short list candidates and make decision	Wk. Of June 7
Recommendation of Selection Committees approved by:	
Region - Audit Sub-Committee	Wk. of June 21
- F&AS	July 8
- Council	July 8
City - F&A	July 6
- Council	July 6

2. **Bill**

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-11 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN D. WILSON
CHAIRMAN
FINANCE AND ADMINISTRATION
COMMITTEE**

Susan K. Reeder
Secretary
April 20, 1999

April 27, 1999

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

The Nominating Committee presents its **SECOND** Report for 1999 and respectfully recommends:

1. **Appointment of Citizen Member to the Hamilton Public Library Board**

That Claire Riddell be appointed to serve on the Hamilton Public Library Board for a term to expire November 30, 2000.

Respectfully Submitted,

**MAYOR R. M. MORROW
CHAIRMAN
NOMINATING COMMITTEE**

**J. J. Schatz, Secretary
April 27, 1999**

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its **THIRD** Report for 1999 and respectfully recommends:

1. Taxi Cab Driver Licence – Haridas Ramachandran

That the Taxi Cab Driver Licence of Haridas Ramachandran be suspended until Mr. Ramachandran obtains a Class G Licence issued under the Highway Traffic Act.

2. Taxi Cab Driver Licence – Emran Ahmed Choudhury

That the Taxi Cab Driver Licence of Emran Ahmed Choudhury be suspended until Mr. Choudhury obtains a Class G Licence issued under the Highway Traffic Act.

3. Taxi Cab Driver Licence – Amad Chowdhury

That the Taxi Cab Driver Licence of Amad Chowdhury be suspended until Mr. Chowdhury obtains a Class G Licence issued under the Highway Traffic Act.

4. Taxi Cab Driver Licence – Tanvir Chowdhury

That the Taxi Cab Driver Licence of Tanvir Chowdhury be suspended until Mr. Chowdhury obtains a Class G Licence issued under the Highway Traffic Act.

5. Taxi Cab Driver Licence – Luthful Chowdhury

That the Taxi Cab Driver Licence of Luthful Chowdhury be suspended until Mr. Chowdhury obtains a Class G Licence issued under the Highway Traffic Act.

6. Taxi Cab Driver Licence – Kalid Qureshi Mahmood

That the Cab Driver Licence of Kalid Qureshi Mahmood be suspended until Mr. Mahmood obtains a Class G Licence issued under the Highway Traffic Act.

7. Body Rub Attendant Licence – Carrolyn Regina Cole

That the Body Rub Attendant Licence application of Carrolyn Regina Cole be granted subject to Ms. Cole submitting an updated criminal record sheet to the Issuer of Licences on 1999 October 26.

8. Tow Truck Driver Licence – Corey A. Raymer

That the Tow Truck Driver Licence of Corey A. Raymer be granted subject to Mr. Raymer submitting an updated criminal record sheet to the Issuer of Licences on 1999 October 26.

Confidential background information provided to members of City Council under separate cover.

Respectfully Submitted,

**ALDERMAN F. EISENBERGER, CHAIRMAN
CITY OF HAMILTON LICENSING COMMITTEE**

**Stella Glover, Secretary
April 14, 1999**

April 29, 1999

Minutes of the Special Meeting of City Council
Thursday, April 29, 1999
3:25 o'clock p.m.
Council Chambers, City Hall

The Council met:

Present: Mayor R. M. Morrow, Chairman.
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Wilson, C. Collins, F. Eisenberger, T. Jackson, B. Charters, T. Anderson,
F. D'Amico, D. O'Sullivan.

Absent: Alderman D. Haining – City Business
Alderman G. Copps – Personal Business
Alderman B. Kelly - Bereavement

Mayor R. M. Morrow called the meeting to order.

COMMITTEE OF THE WHOLE – FIFTH REPORT

It was moved by Alderman Kiss and seconded by Alderman D'Amico that the Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson,
Collins, Eisenberger, Jackson, Charters, Anderson, D'Amico, O'Sullivan. –
14.

NAYS: -0.

CARRIED.

City Council then adjourned at 3:30 o'clock p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

Kevin C. Christenson, Acting Clerk
April 29, 1999
KCC/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton.

Members of Council

The Committee of the Whole presents its **FIFTH** Report for 1999 and respectfully recommends:

1. **Modified Neighbourhood Plan review for portions of the North End East, Beasley, Lansdale and Keith Neighbourhoods - Plastimet.**
 - (a) That the Community Planning and Development Division be requested to undertake a modified neighbourhood plan review for portions of the North End East, Beasley, Lansdale and Keith neighbourhoods, more specifically, the area bounded by Picton Street East to the north, Ferguson Avenue North to the west, Barton Street East to the south and Victoria Avenue North to the east.
 - (b) That the General Manager of Finance be requested to identify the source of funding required to complete the \$30,972 cost of the Modified Neighbourhood Plan Review.
 - (c) That City Council request that the Ministry of the Environment undertake clean up of the Plastimet site to the maximum (residential) use.
2. **Strategic Plan for the north-east quadrant – Gateway.**
 - (a) That the General Manager, Transportation, Operations and Environment Division, be authorized to lead a multi-disciplinary team of staff in the preparation of a Strategic Plan for the north-east quadrant of the City of Hamilton with the intent of undertaking improvements on both public and private lands to enhance the image of the area and its gateway role through "greening" and environmental initiatives; and,
 - (b) That the estimated cost of \$150,000 for this study be funded equally through a partnership formed with the City of Hamilton/Regional Municipality of Hamilton-Wentworth, the Hamilton Harbour Commission and private industry; and,
 - (c) That the City of Hamilton's contribution to the project be \$25,000 and be funded through the Working Funds Reserves; and,
 - (d) That the General Manager, Transportation, Operations and Environment Division be directed to submit a work schedule, team membership and consultant involvement for approval of the City Manager by May 31, 1999.

3. **Bill**

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

F-5: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW, CHAIRMAN

K. C. Christenson
Acting Clerk

May 11, 1999

CAY ON HBL AOS
M21
1999

Minutes of Hamilton City Council
Tuesday, May 11, 1999
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

MAY 28 1999

The Council met:

There were present:

Mayor R. M. Morrow;
Aldermen M. Kiss, M. Caplan, A. Horwath,
R. Corsini, B. Morelli, D. Haining, D. Wilson,
G. Copps, C. Collins, F. Eisenberger, T. Jackson,
B. Charters, T. Anderson, B. Kelly, F. D'Amico,
D. O'Sullivan.

GOVERNMENT DOCUMENTS

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played by the Navy League of Canada and the Royal Canadian Sea Cadets Band.

Father Lucien Puscariu, Romanian Orthodox Church of Holy Resurrection Council led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented a trophy to Shona Thorburn for her outstanding accomplishments in Women's Basketball.

ADOPTION OF MINUTES

The minutes of the meeting held April 27, 1999 and the special meeting held April 29, 1999 were adopted as circulated.

CORRESPONDENCE

1. Application dated April 27, 1999 from Alexander Furmanov, Toronto, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 199 Stone Church Road West, Hamilton, Ontario.

Received.

2. Application dated April 27, 1999 from Sam Guerriero and Stefanina Guerriero, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 1509 Upper Sherman Avenue, Hamilton, Ontario.

Received.

3. Application dated April 27, 1999 from Samuel Guerriero for a modification to the established "C" (Urban Protected Residential, etc.) District (Block "1") and for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected, Residential etc.) District, modified (Block "2") for 1487 Upper Sherman Avenue, Hamilton, Ontario.

Received.

4. Application dated May 5, 1999 from Kim Jee Chiu and Bik Ha Hoy Chiu for a change in zoning from "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District to "DE" (Low Density Multiple Dwellings) District modified for 54 and 56 Alanson Street, Hamilton, Ontario.

Received.

5. Application dated May 5, 1999 from Frank Mastroianni and Antonietta Mastroianni, 966 Stone Church Road East, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for lands located at the rear of 102 Eleanor Avenue, Hamilton, Ontario.

Received.

6. Letter dated April 26, 1999 from R. Scott Smith, Secretary to the Board of the Commissioners, Hamilton Harbour Commission respecting Hamilton Harbour Commissioners' Land Use and Development By-law.

Referred to the Planning and Development Committee

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the City of Hamilton Licensing Committee, be considered in Committee of the Whole with Alderman D'Amico in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – FIFTH REPORT

Section 11 Re: Bicycle Network Implementation Bicycle Rack Program

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1.

CARRIED.

Section 14 Re: Hiring of Summer Students

It was moved by Alderman Collins and seconded by Alderman Wilson that the following be added as Section 14 of the Fifth Report of the Transport and Environment Committee:

- (a) That the hiring of students for the summer of 1999 be maintained at last year's levels, without the involvement of private contractors; and
- (b) That all recommended changes in service delivery and/or staffing levels be brought to Committee and Council for their consideration and approval.

CARRIED.

PARKS AND RECREATION COMMITTEE – SIXTH REPORT

Section 3 Re: Sale of Alcoholic Beverages – Mohawk Sports Park – Hamilton Hornets Rugby Football Club

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Anderson, Kelly, D'Amico, O'Sullivan. –15.

NAYS: Aldermen Jackson and Charters. -2.

CARRIED.

Section 4 Re: Canadian Association of Chiefs of Police Conference

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Horwath. -1.

CARRIED.

Section 6 Re: 1999 Morgan Firestone Foundation, Request for Outdoor Concert in Bayfront Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. –15.

NAYS: Aldermen Horwath, Copps. -2.

CARRIED.

Section 9 Re: Policy – Delegation of Approval of Events by Permits to General Manager

It was moved by Alderman Eisenberger and seconded by Alderman O'Sullivan that Section 9 of the Sixth Report of the Parks and Recreation Committee be amended to add the following to Sub-Section "B" as follows:

"...with the exception of major facilities which shall be dealt with by the Parks and Recreation Committee and Council. **CARRIED.**

Section 10 Re: Multi Pad Indoor Arena/Sports Complex, Adoption of Stage One Evaluation Criteria – Letters of Interest

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. -1. **CARRIED.**

PLANNING AND DEVELOPMENT COMMITTEE – ELEVENTH REPORT

Section 2 Re: Downtown Convert/Renovate-to-Residential Loan Program – 34-36 Hess Street South

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. -1. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE – NINTH REPORT

CITY OF HAMILTON LICENSING COMMITTEE – FOURTH REPORT

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the City of Hamilton Licensing Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan –17.

NAYS: -0.

CARRIED.

City Council then adjourned at 8:45 o'clock p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
May 11, 1999
JJS/dg**

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **FIFTH** Report for 1999 and respectfully recommends:

1. **Parking Regulations on both sides of Hepburn Crescent from Jewel Street to the westerly limit**

That a "One Hour Parking Time Limit, 8:00 a.m. to 8:00 p.m., Monday to Friday" regulation be implemented on both sides of Hepburn Crescent from Jewel Street to the westerly limit of Hepburn Crescent, and that the City Traffic By-law 89-72 be amended accordingly.

2. **Parking Regulations on the south side of Hunter Street East between East Avenue South and Emerald Street South**

That a "Three Hour Parking Time Limit, 24 Hours a Day, Seven Days a Week" regulation be implemented on the south side Hunter Street East commencing at East Avenue South and extending to a point 131 feet easterly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

3. **Parking Regulations on the west side of MacNab Street North, north of Vine Street**

That the two existing "No Stopping - Commercial Vehicle Loading Zone" regulations on the west side of MacNab Street North, commencing 110 feet north of Vine Street and extending 20 feet northerly therefrom and commencing 150 feet north of Vine Street and extending 50 feet northerly therefrom be replaced with a single "No Stopping - Commercial Vehicle Loading Zone" regulation commencing 63 feet north of Vine Street and extending 117 feet northerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

4. **Parking Regulations on Ontario Avenue, south of Main Street East**

That the existing "No Parking" regulation on the east side of Ontario Avenue commencing at Main Street East and extending to a point 134 feet southerly therefrom be shortened such that the regulation commences at Main Street East and extends to a point 113 feet southerly therefrom, and that City Traffic By-law 89-72 be amended accordingly.

5. **Request for a Reserved "Permit Parking" Space for a Disabled Resident at No. 174 Julian Avenue**

That a "Permit Parking" regulation be implemented on the east side of Julian Avenue commencing at a point 266 feet south of Britannia Avenue and extending to a point 34 feet southerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

6. **Request for a Reserved "Permit Parking" Space for a Disabled Resident at No. 16 Mars Avenue**

That a "Permit Parking" regulation be implemented on the south side of Mars Avenue commencing 121 feet east of Emerald Street North and extending to a point 18 feet easterly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

7. **Request for a Reserved "Permit Parking" Space for a Disabled Resident at No. 85 Somerset Avenue**

That a "Permit Parking" regulation be implemented on the north side of Somerset Avenue commencing at a point 222 feet west of Lottridge Street and extending to a point 21 feet westerly therefrom, and on the south side of Somerset Avenue commencing 234 feet west of Lottridge Street and extending to a point 19 westerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

8. **Request to Remove a Reserved "Permit Parking" Space for a Disabled Resident at No. 352 Fairfield Avenue**

That the existing "Permit Parking" regulation on the east side of Fairfield Avenue, commencing at a point 26 feet south of Vansitmart Avenue and extending to a point 20 feet southerly therefrom, be removed, and that the City Traffic By-law 89-72 be amended accordingly.

9. **Declaration of Surplus Property – One-Foot Reserve
Annabelle Street, Hamilton – Parts 2 and 3, Plan 62R-14047**
 - (a) That a one-foot reserve known as Parts 2 and 3, Plan 62R-14047, Annabelle Street, Hamilton be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,
 - (b) That Real Estate, Legal Services Section be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049.
10. **Construction of a Concrete Alley First South of Main Street West, from
Thorndale Street South to Norfolk Street South**
 - (a) That the construction of a concrete alley first south of Main Street West from Thorndale Street South to Norfolk Street South proceed as a local improvement on petition by the owners pursuant to Section 11 of The Local Improvement Act at an estimated gross cost of \$39,000, with a City's Share of \$27,953.40 and an Owner's Share of \$7,137, all as provided in the 1999 portion of the proposed 1999-2008 Capital Budget; and,
 - (b) That the General Manager, Transportation, Operations and Environment be authorized to construct these works once all the necessary approvals have been received; and,
 - (c) That the Commissioner of Public Works and Traffic be authorized and directed to prepare the necessary By-law, in a form satisfactory to Corporate Counsel.
11. **Bicycle Network Implementation Bicycle Rack Program**
 - (a) That the City of Hamilton enter into an agreement with Fine Lines Sign Co. (Hamilton) for the supply and installation of bicycle racks for the period June 1, 1999 to December 31, 2002, subject to the conditions of the agreement being acceptable to the General Manager of Transportation, Operations and Environment and Corporate Counsel; and
 - (b) That the Mayor and Municipal Clerk be authorized and directed to execute the agreement in a form satisfactory to Corporate Counsel.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1.

CARRIED.

12. Closure of Various City's Share of Services in Subdivision Accounts (CPD-99004)

- (a) That the General Manager, Finance be directed to close the Capital Project accounts as listed on Pages 1 and 2 of Appendix "A" (attached) with accumulative excess funding in the amount of \$1,212,071 to be transferred to the original source of funding; and,
- (b) That the General Manager, Finance be directed to reduce the estimated gross cost for "Novoco Gardens" (Capital Centre Number 528646014) from \$104,240 to \$ 88,700.

13. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-21 Being a By-law to amend By-law No. 89-72 to Regulate Traffic.
- (b) A-22 Being a By-law to amend By-law No. 89-72 to Regulate Traffic.

- 14.**
- (a) That the hiring of students for the summer of 1999 be maintained at last year's levels, without the involvement of private contractors; and
 - (b) That all recommended changes in service delivery and/or staffing levels be brought to Committee and Council for their consideration and approval.

ADDED.

Respectfully submitted,

**ALDERMAN C. COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT
COMMITTEE**

Carolyn Biggs
Legislative Assistant
May 3, 1999

Appendix "A"

City of Hamilton

City's Share of Services in Subdivisions

Appendix "A" as referred to in
Section 12 of the Fifth Report
of the Transport and Environment
Committee for 1999

Source of Financing:

Reserve for Services Through Unsubdivided Lands

Capital Centre Number	Council Approval Year/Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available (Overdraft)
For the Year	1984			
528446002	Cardinal Heights Addition No 6	1,120.00	745.56	374.44
	Totals For the Year 1984	\$1,120.00	\$745.56	\$374.44
For the Year	1987			
528746022	Realign Stone Church - Horning	380,000.00	119,932.19	260,067.81
	Totals For the Year 1987	\$380,000.00	\$119,932.19	\$260,067.81
For the Year	1988			
528846003	Abby Hill Farm - Kennedy Court	25,250.00	24,459.75	790.25
528846005	Templemead No 2 Phase 5	73,020.00	58,474.50	14,545.50
528846011	Wellington Chase Phase 2 - roads & fencing	107,680.00	28,161.71	79,518.29
528846015	Templemead No 1 Phase 2	318,380.00	239,273.46	79,106.54
528846018	Oakdale Estates Phase 1	166,870.00	166,871.82	(1.82)
528846020	Oakdale Estates Phase 2	57,780.00	52,340.07	5,439.93
528846021	Oakdale Estates Phase 3	34,400.00	29,578.31	4,821.69
528846025	Almas Gardens Phase 5	75,720.00	75,722.00	(2.00)
528846026	Wisemount Forest Survey	4,280.00	3,794.00	486.00
528847003	Abby Hill Farm Phase 1 - swrs/wtrmns	83,650.00	67,667.02	15,982.98
	Totals For the Year 1988	\$947,030.00	\$746,342.64	\$200,687.36
For the Year	1989			
528946004	Oakdale Estates Phase 4	130,750.00	83,840.64	46,909.36
528946007	Stoneridge Estates	188,490.00	167,884.08	20,605.92
528946017	Eastgate Heights	153,460.00	107,793.69	45,666.31
528946018	Chain Link Fence - 50 Fiona Crescent	800.00	0.00	800.00
528947002	Eastgate Heights - swrs/wtrmns	20,000.00	17,673.51	2,326.49
528947003	Anchor Road Industrial Park - swrs/wtrmns	23,070.00	0.00	23,070.00
	Totals For the Year 1989	\$516,570.00	\$377,191.92	\$139,378.08
For the Year	1990			
529046015	Aquino Gardens Phase 1	162,730.00	136,373.95	26,356.05
529046021	Beaverton Estates	219,940.00	219,940.00	0.00
529046022	Effort Gardens	194,030.00	0.00	194,030.00
529046024	Coventry Gardens	316,500.00	254,526.38	61,973.62
529046025	Abby Hill Farm Phase 2	41,130.00	37,422.79	3,707.21
529047006	Coventry Gardens - swrs/wtrmns	206,640.00	192,294.94	14,345.06
	Totals For the Year 1990	\$1,140,970.00	\$840,558.06	\$300,411.94
Totals For Page 1		\$2,985,690.00	\$2,084,770.37	\$900,919.63

Appendix "A"

Page 2

City of Hamilton**City's Share of Services in Subdivisions****Source of Financing:**

Reserve for Services Through Unsubdivided Lands

Capital Centre Number	Council Approval Year/Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available (Overdraft)
For the Year	1991			
529146023	Peace Manor Subdivision	24,950.00	17,876.43	7,073.57
529146027	Crerar Place	15,130.00	8,617.00	6,513.00
529146031	Orchard Park Estates Phase 1	102,090.00	96,815.43	5,274.57
529147007	Orchard Park Estates Phase 1 - swrs/wtrmns	144,140.00	143,452.62	687.38
	Totals For the Year 1991	\$286,310.00	\$266,761.48	\$19,548.52
For the Year	1992			
529246001	Gardens of Rymal Phase 2	378,840.00	252,669.33	126,170.67
529246003	Blossom Estates	118,240.00	0.00	118,240.00
529246006	Rymal Square Estates Phase 2 - rds/wks	13,580.00	10,607.15	2,972.85
529246010	Rymal Square Estates Phase 3	59,630.00	55,040.21	4,589.79
529246012	Edan Heights Phase 3	2,250.00	0.00	2,250.00
529247008	Gardens of Rymal Phase 2 - swrs/wtrmns	31,270.00	18,443.12	12,826.88
529346016	Wisemount Estates Phase 3	16,690.00	14,004.65	2,685.35
529346017	Allison Estates Phase 1	92,060.00	84,724.17	7,335.83
529346018	Orchard Park Estates Phase 2	7,100.00	6,198.96	901.04
529346019	Orchard Park Estates Phase 3	15,760.00	14,192.61	1,567.39
529346021	Highridge South Phase 1	177,390.00	178,820.55	(1,430.55)
529347004	Allison Estates Phase 1 - swrs/wtrmns	94,400.00	94,400.00	0.00
529347005	Highridge South Phase 1 - swrs/wtrmns	52,350.00	52,371.92	(21.92)
	Totals For the Year 1992	\$1,059,560.00	\$781,472.67	\$278,087.33
For the Year	1994			
529446003	Wisemount Estates Phase 4	21,750.00	22,243.07	(493.07)
529446007	Highridge South Phase 2	9,870.00	5,505.49	4,364.51
529446011	Wisemount Estates Phase 6	37,880.00	35,831.74	2,048.26
	Totals For the Year 1994	\$69,500.00	\$63,580.30	\$5,919.70
For the Year	1995			
529545015	Orchard Park Estates Phase 4	28,850.00	22,882.93	5,967.07
529546016	Estates of Wisemount & Eden Phase 3 - walks	6,000.00	4,371.25	1,628.75
	Totals For the Year 1995	\$34,850.00	\$27,254.18	\$7,595.82
Grand Totals For All Years		\$4,435,910.00	\$3,223,839.00	\$1,212,071.00

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SIXTH** Report for 1999 and respectfully recommends:

1. Appointments to Arts Advisory Commission

That Gord Conroy and Bryan Bennett be appointed to the Arts Advisory Commission to fill the 1999 term due to the resignation of two members.

2. 29th International Children's Games, June 8-11, 1999, Medias, Romania

- (a) That the Chairperson of the Parks and Recreation Committee (or designate), Dr. Gene Sutton, Vice Chairperson Sports Technical and Ms. Cathie Miller, Vice Chairperson Services for the International Children's Games Millennium Festival be authorized to attend the 29th International Children's Games in Medias, Romania in accordance with City policies to observe the event in preparation for Hamilton's hosting of the Games in the year 2000; and
- (b) That all expenses hereto be charged to the International Children's Games Millennium Festival Account Number CH 55201-78211.

3. Sale of Alcoholic Beverages, Mohawk Sports Park – Hamilton Hornets Rugby Football Club

- (a) That approval be given of the action taken by the General Manager of Community Services in authorizing the Hamilton Hornet Rugby Football Club to sell alcoholic beverages at Mohawk Sports Park, on May 1, 2 and 8, 1999; and
- (b) That approval be granted to the Hamilton Hornet Rugby Football Club to sell alcoholic beverages at Mohawk Sports Park on May 15, 27, June 5, 12, July 24, 31, August 14, 21, 28, September 3, 4, 5, 6, 11, 18, 25 and October 17, 1999 by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Licence.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Aldermen Jackson and Charters. -2.

CARRIED.

4. Canadian Association of Chiefs of Police Conference, August 21-26 – Request to land Helicopters in Bayfront Park

That approval, as required by Section 23 of the Parks By-law 95-126, as amended, be given to the Hamilton-Wentworth Regional Police Department to land helicopters from time to time for demonstration purposes, in Bayfront Park, August 21 to August 26, 1999 inclusive as part of the Canadian Associate of Chiefs of Police Conference.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Horwath. -1.

CARRIED.

5. Canadian Forces Parachute Team Skyhawks- Request for a Parachute Drop – HAAA Grounds, June 18, 1999

That approval, as required by Section 23 of the Parks By-law 95-126, as amended, be given to the Canadian Forces Parachute Team Skyhawks to perform a parachute drop inside HAAA Grounds on 1999, Friday June 18, subject to the Terms and Conditions of the Special Events Guidelines.

6. 1999 Morgan Firestone Foundation, Request for Outdoor Concert in Bayfront Park- August 10 to 16 or August 25 to 31, 1999

- (a) That permission be granted to Morgan Firestone Foundation and September Seventh Entertainment Limited to use Bayfront Park on either 1999 August 10-16 or 1999 August 25-31 (including set up and tear down) to hold a one day fundraising outdoor concert to benefit the Hamilton Regional Cancer Centre Foundation; and
- (b) That permission be granted to hold a beer garden, charging a parking fee of \$5 and admission fee to the park of \$30-45 per person; and

- (c) That all of the above to be in accordance with Parks By-law 95-126, as amended and subject to the Terms and Conditions of the Special Event Guidelines.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Aldermen Horwath, Copps. -2.

CARRIED.

7. Closure of Department of Public Works and Traffic Capital Project Accounts

That the General Manager of Finance be directed to adjust and close the following Capital Project accounts with net excess funding to be transferred to its original source of funding:

Capital Centre #	Project Description	Authorized Gross Cost	Expended/ Committed to Date	Balance Available	Source Of Financing
CF628643001	Bike paths /Playscapes – Phase I	\$333,000.00	\$343,961.00	-\$13,961.00	Debenture/ Provincial Grant
CF628954007	Parks Development & Redevelopment	\$488,000.00	\$487,993.56	\$6.44	Reserve
CF628754001	Mohawk Sports Park - Utility Building	\$198,000.00	\$176,560.12	\$21,439.88	Debenture
CF629254007	Park Development & Redevelopment (1992)	\$1,200,000.00 \$10,000.00	\$1,210,000.00	0	Reserve Private Donation
CF629354006	1993 Park Development/ Redevelopment	\$900,000.00	\$899,985.19	\$14.81	Reserve
CF629449012	Chedoke Mountain Steps	\$378,000.00	\$377,987.91	\$12.09	Debenture
CF629454008	1994 Park Development/ Redevelopment	\$587,000.00	\$586,981.79	\$18.21	Reserve
CF629543011	Inter-Regional Trail Program (1995)	\$235,550.00	\$235,550.00	0	Provincial Grant
CF629549022	Carp Barrier/ Fishway -Electrical Feeders	\$100,368.60 \$110,000.00	\$100,368.60	\$10,631.40	Federal Grant & C.P.R.
CF629654022	Eastwood Park Restoration	\$400,000.00	\$400,000.00	0	Region
Balance		\$4,939,918.60	\$4,819,388.17	\$18,161.83	

8. Hamilton Arts Award Programme – Revised policy

- (a) That the Guidelines for the Hamilton Arts Award approved by City Council at its meeting of October 29, 1996 be rescinded; and,
- (b) That the Revised Policy for the Hamilton Arts Award Programme, attached hereto and marked "Appendix A", be approved.

9. Policy- Delegation of Approval of Events by Permits to General Manager

- A. That a policy be established delegating the authority to the General Manager of Community Services to approve by permit, event functions in City Parks that require approval in accordance with the Parks By-law 95-126 as amended, with respect to the following activities:

B.

- (a) Part III Games, Sports and Organized Activities
Section 23 Aircraft

Unless authorized by permit, no person shall tether, launch or land any fixed-wing aircraft, helicopter, hot air balloon, hang-glider, ultra-light aircraft or similar conveyance in any park.

- (b) Part IV Vehicles
Section 29 Parking

No person shall in any Park:

- (a) park or leave a Vehicle except in a Designated Area for parking.

- (c) Section 35 Horses

- (1) Unless authorized by Permit, no person as owner or person having control of any horse shall permit it to enter or remain in a Park unless:

- (a) Within a Designated Area for use by horses; and
- (b) It is well broken and wearing a bridle.

- (2) No person riding or having control of a horse in any Park shall obstruct, inconvenience or endanger other users of the Park.

- (d) Part IV Vehicles
Section 37 Dangerous Animals

No person as owner or person having the control of any animal shall bring into or permit such animal to enter any Park if it may or does constitute a danger to other park users or is reasonably likely to frighten other park users.

- C. That this policy is to be implemented in consultation with the Chairperson of the Parks and Recreation Committee and the Ward Aldermen with the exception of major facilities which shall be dealt with by the Parks and Recreation Committee and Council.

ADDED.

10. Multi Pad Indoor Arena /Sports Complex, Adoption of Stage One Evaluation Criteria" - Letters of Interest

- (a) That Council adopt the "Stage One Evaluation Criteria – Letters of Interest" as prepared by the Consultant, the JF Group dated 1999 April 1, attached hereto as Appendix "B", and;
- (b) That staff be authorized to apply these evaluation criteria to the proposals received from private proponents in order to short-list proposals for the second phase of selection as per the Council approved direction to pursue a public-private partnership to construct and operate a multi-pad arena/sports complex in the City of Hamilton.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1.

CARRIED.

11. Proposal to Include City Parks as Possible Vending Service Locations

- (a) That the General Manager, Community Services Division and the Commissioner of Public Works and Traffic, be authorized to include designated pilot park locations as possible locations for full service refreshment/snack machines as part of the upcoming Request for Proposal for the supply of soft drink distribution within the Community Services Division; and,
- (b) That the criteria as attached hereto and marked in Appendix "C" for the selection of pilot park locations be approved; and,

- (c) That the listing of pilot park sites to be included in the Request for Proposal as attached hereto in Appendix "C" be approved.

**12. Construction of Water Spray Pad at Gage Park with
Funding Assistance from the Friends of Gage Park and Others**

- (a) That the City contribute \$15,000 towards the construction of the water spray pad at Gage Park estimated to cost \$81,500; and,
- (b) That the Finance and Administration Committee recommend the source of financing for the City's \$15,000 contribution; and,
AMENDED.
- (c) That the City make a \$10,000 non interest bearing loan to the Friends of Gage Park for the construction of the water spray pad to be funded from the 1998 Park Development and Redevelopment - Capital Account CF629854037 to be repaid by the Friends of Gage Park prior to December 31, 2000; and,
- (d) That the Mayor, Clerk and General Manager of Finance be authorized to execute a Financing Agreement for the \$10,000 with the Friends of Gage Park in a form satisfactory to the Director of Legal Services and Corporate Counsel; and,
AMENDED.
- (e) That all donors of amounts larger than \$1,000 be recognized with their names listed on a bronze plaque to be affixed to the wall of the existing building adjacent to the proposed water spray pad.

Respectfully Submitted,

**ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

**Tina Agnello
Secretary
May 3, 1999**

Appendix "A" referred
to in Section 8 of the
SIXTH Report of the
Parks and Recreation Committee
for 1999

HAMILTON ARTS AWARD PROGRAMME

A. Policy/Guidelines

The Hamilton Arts Award Programme consists of two activities:

- the presentation of an Arts Award to a Hamilton artist in any discipline, and
- the presentation of Certificates of Recognition to businesses that partner with the arts.

The Arts Award component of the Hamilton Arts Award Programme is intended to:

- focus public attention on a superb artist who has helped make the arts and culture of Hamilton a treasured resource;
- provide community-based recognition of individual artistic achievement;
- inspire artists to continued excellence, greater confidence and a sense of accomplishment;
- heighten public awareness of the range, diversity and creative excellence of Hamilton's artists; and
- emphasize the cultural, social and economic importance of the arts in Hamilton.

The Certificate of Recognition component of the Hamilton Arts Award Programme is intended to acknowledge the contribution of the business sector to the arts in Hamilton.

1.0 Criteria

1.1 Arts Award

Award nominees must be Canadian citizens, landed immigrants or long-term residents of Canada who have demonstrated an ongoing association with Hamilton and who have contributed significantly to the arts and culture of the City.

Award nominees must be professional artists in any of the following fields: architecture, applied design, literature, media arts, music, performing arts and visual arts.

The nature of the professional artistic work of the nominee shall demonstrate excellence and recognized achievements, as well as long-standing dedication to the Hamilton arts community through a history of volunteer work that has benefited the Hamilton arts community.

1.2 Certificate of Recognition

Eligible 'Business Partners in the Arts' should demonstrate proof of at least 2 of the following activities:

- a) community involvement,
- b) innovative partnerships with the arts community,
- c) partnerships which are mutually beneficial to business and the arts,
- d) leadership in initiating partnerships with the arts.

- 1.3 The Arts Award and the Certificate(s) of Recognition are awarded to the nominee (s) who best meet the stated criteria. Awards in each category are given every year.

2.0 Process

- 2.1 The submitted Nomination Package for the Arts Award shall consist of the following: a completed Nomination Form, a current resume, copies of various forms of public recognition of the nominee's activities (ie. newspaper articles, reviews, etc.), and three letters of endorsement.
- 2.2 The submitted Nomination Package for the Certificates of Recognition shall consist of the following: a completed Nomination Form, copies of various forms of public recognition of the nominee's activities, two letters of endorsement.
- 2.3 For each of the Awards in the Hamilton Arts Award Programme, nominations may be made by an individual or by an organization.
- 2.4 All nominators and nominees will be apprised of the fact that any and all written materials submitted on behalf of the application may be used in all publicity information released by the City of Hamilton in promoting and celebrating the Arts Award Programme and its various recipients. Their acknowledgement constitutes a release of information.
- 2.5 The Arts Advisory Commission will adjudicate the Arts Award Programme.
- 2.6 Conflict of Interest - Individuals (and/or their family members) are not eligible to receive either the Hamilton Arts Award or the Hamilton Certificate of Recognition while serving on Boards, Committees or Commissions of the Department of Culture & Recreation, City Of Hamilton.
The Arts Advisory Commission of the City of Hamilton assumes that all persons chosen as members are of unimpeachable integrity and strives to uphold this standard. Therefore, if in the course of the Commission's deliberations, any Commission member becomes faced with a Conflict of Interest, that member is expected to declare such conflict, and withdraw from the selection/voting process.
A Conflict of Interest arises when a Commission member might receive direct or indirect benefit from the selection of a particular candidate.
When the Commission first considers a candidate who might create a Conflict of Interest for a member, the member must declare the conflict. While such a member is not expected to withdraw from a preliminary screening process where all candidates are discussed, the member must withdraw from the final selection and voting process if the person creating the conflict remains a candidate.

- 2.7 Nominations must be received by the published deadline. All late or incomplete Nomination Packages will not be considered by the Commission.
- 2.8 The Arts Advisory Commission shall always be the first body to publicly announce the recipients of the Arts Award and the Certificate of Recognition recipients.

3.0 Awards

- 3.1 The Arts Award is a specially designed medallion by Canadian artist Dora DePedery Hunt. The recipients name is engraved on the reverse.
- 3.2 The Arts Award recipient also receives a cheque from the City Of Hamilton in the amount of \$500.00.
- 3.3 The recipients of the Certificates of Recognition receive a specially-designed and framed Certificate.

4.0 Presentation

- 4.1 The Arts Award Programme (including Arts Award and Certificates of Recognition) shall be presented at a joint ceremony to be normally held in October of each year.
- 4.2 While the actual Awards ceremony may not necessarily occur at City Hall, the Arts Advisory Commission will attend the appropriate Council meeting following the Awards ceremony to inform Council of the recipients of the Arts Award Programme.
- 4.3 A sub-committee of the Arts Advisory Commission with the assistance of Culture & Recreation staff, are responsible for organizing an event at which the Arts Award and the Certificates of Recognition are presented. The mandate of this sub-committee shall include raising the status of this celebration to an ever higher level, with the objective in mind of a self-supporting gala evening. The Awards ceremony shall occur at a local cultural institution, the location of which shall change from year to year.
- 4.4 Parks and Recreation Committee and City Council shall be informed that winners names have been selected.
- 4.5 The guest list is to include: elected officials, members of the Arts Advisory Commission, cultural employees, nominators, sponsors, relevant organizations, nominees, and family, friends and colleagues of the recipients.

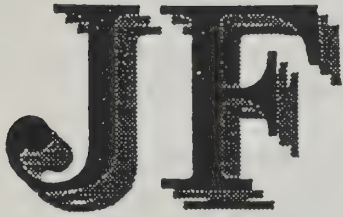
5.0 Arts History/Archives

In order to recognize and compile a heritage history for the arts in Hamilton a record which will be available to scholars, students and future generations:

- 5.1 Maintain a detailed archive on all winners of the award.

April 22, 1999

The above policy/guidelines have been adapted from the following with thanks: the Hamilton Arts Award Programme Guidelines (October 1996); the Toronto Arts Council; the Oakville Arts Council; the Mississauga Arts Council; and the Windsor Arts Council.



Appendix "B" referred
to in Section 10 of the
SIXTH Report of the
Parks and Recreation Committee
for 1999

THE J F GROUP

MEMORANDUM

DATE: April 1, 1999
TO: City of Hamilton Private Partnership Selection Committee for a Multi-pad
Indoor Arena/Sports Complex
FROM: John Frittenburg
RE: Stage One Evaluation - Letters Of Interest

Please find attached, criteria descriptions and an evaluation form that have been prepared to assist you in scoring the Letters Of Interest related to a Public/Private Partnership For A Multi-Pad Indoor Arena/Sports Complex. The evaluation criteria reflects the issues and key principles that will be pivotal to the success of the project and are described in the Stage One... Letter Of Interest document. It would be useful to familiarize yourself with Sections 1.3 – Project Scope and Objectives (page 2), Section 3.2 - Required Letter Of Interest Elements (page 7), and Section 3.3 - Selection Criteria (page 8) in advance of evaluating the submissions.

The evaluation form has been structured to accept your score for each criteria, based upon a 5 point scale... (5) excellent, (4) good, (3) satisfactory, (2) marginal, (1) poor, and (0) non existent. You will also note that there is a section for brief *notes* describing the rationale for your score decision... this information may offer helpful reminders when we discuss and tabulate the Committee's collective evaluations. Further, you will see that the form includes a weight column, which could accept a *multiplier*, reflecting the importance of the criteria to the success of the project. The Committee will discuss, and assign as appropriate, a weight factor to each criteria at the beginning of the evaluation meeting.

116 Mineola Road West, Mississauga, Ontario, L5G 2C2 (905) 271-2247 Fax (905) 271-7474
e-mail: jfgroup@istar.ca

May 11, 1999

Depending on the Committee's decision, the weight will be used to calculate the total score for each criteria which in turn will produce the proponent's overall ranking. A short list of proponents, who will be invited to proceed to Stage Two, will be determined at the conclusion of our meeting.

I trust that the evaluation process for the Letters Of Interest is clear and that the form is self explanatory. Please do not hesitate to call if I can provide any further assistance.

CORPORATE INFORMATION

Proponent Corporate Structure and Stability

The ability of the proponent to demonstrate corporate stability and a historically solid financial position will be an important factor in determining the company's (or consortium's) worthiness to proceed to the next stage of the evaluation process. Submissions should include an indication of the proponent's corporate staff and management structure, years in business, relationships and alliances with other firms, funding sources (such as investors), and details that instill a level of confidence that the proponent is committed and able to enter into a long term relationship with the City. In the case of a consortium, the submission should clearly indicate the lead firm, providing a confirmation that the financial obligations that are implied by the concept are protected by the lead firm's covenant.

Proponent Capacity To Undertake The Project

The submission should include an indication of the proponent's capacity to partner with the City on a project of the size and scope of the proposed concept. The proponent team should include individuals or associate firms with the necessary talents, experience, and financial base to undertake all design, construction, financial, and operating elements included in the package. Moreover, the degree to which the lead firm is involved beyond the initial stage of the project may be important, depending upon the nature of the proposed relationship. For example, a design/build/finance/operate proposal may be fronted by a large construction firm. Your score for this criteria should reflect both the capacity of the contractor and the proposed operator.

Previous Experience

Past experience of the team or key firms within the team, in the design, construction, and operations of facilities of similar nature and scale will be an important evaluation factor. Previous experience involving arenas and ancillary sports facilities or other spaces included in the proponent's concept should be considered. An assessment of the skills of individual members of the consortium, separate from the assessment of the demonstrated ability of the firms within the consortium should also help guide the evaluation decision. Consideration of *who are the key players on each team* and their past experience and the proposed types of facilities should be answered. Depth of the team is also an issue. A consortium with good skills represented by only one individual may not be scored as highly as a consortium that includes more than one individual with the appropriate talents.

BASIC CONCEPT ELEMENTS

Compliance With Project Objectives

Section 1.3 of the Letter Of Interest documentation clearly outlines the City's objectives for the project. At minimum, the development is to provide an additional 75 hours of ice time to accommodate current user group ice requirements. The project is also expected to provide sufficient ice surfaces to accommodate future demand, enhance the recreation and leisure opportunities available to Hamilton's residents, operate in accordance with municipal standards, produce financial benefits to the City, and provide other economic benefits to the municipality. The submission should clearly outline the manner in which the concept and the proponent's plans are capable of fulfilling these objectives.

Quality Of The Concept and Facilities

The submission should describe a basic concept that is sound and provides Hamilton's residents with facilities and programs consistent with the City's traditional recreation service standard. Basic design elements, methods of construction, effective use of the site, and other fundamentals of the concept should be evaluated under this criteria.

Cost Efficiencies, Net Revenue and Operational Effectiveness

Although the expression of interest will provide only the basic elements of the financial proposition, the proponent should identify (even if only in general terms) cost savings, a proportion of net revenues, or operating efficiencies that would accrue to the municipality as a result of the project. For example, a concept that would help the City avoid capital or operating (net) costs normally associated with a municipally developed arena, without compromising facility or service quality, would be viewed favorably. Opportunities to re-allocate existing resources to other service areas (such as staff redeployment) are benefits that could be included in creative partnership propositions. It will be important to focus on the concepts and possibilities rather than searching for specific financial details.

ENHANCED CONCEPT ELEMENTS

Plans For Additional Facilities

The proponent's submission may include facilities and support amenities beyond the basic arena concept. Ancillary facilities that enhance the project's character and are in keeping with the nature of the project while remaining sensitive to the needs of the facility users should receive favorable consideration. A proposition that demonstrates an understanding of the market conditions and (likely) viability of the supplementary components should received high marks.

Creative Leisure Service Enhancements

A concept that creates a sport and leisure destination and that entices facility patrons to utilize a variety of different project elements should be viewed favorably. Innovative, creative ideas for attracting new and return visitors to the site should be given merit. Further, plans to integrate different types of facility uses within one complex to the extent that the leisure experience is enhanced beyond what would normally occur in a municipal facility should fair well under this criteria.

GENERAL

Completeness And Clarity Of Submission

The provision of a well-organized, thoughtful submission that clearly describes the proponent's concept and capabilities to perform the associated responsibilities are important. Submissions should be evaluated based upon their comprehensiveness, thoroughness and clarity.

THE CITY OF HAMILTON - PUBLIC/PRIVATE PARTNERSHIP - FOR A MULTI-PAD INDOOR ARENA/SPORTS COMPLEX
Letters of Interest Evaluation Form

CRITERIA	WEIGHT	Proponent: _____		Notes
		Score	Score x Weight	
Corporate Information				
Proponent corporate structure/stability				
Proponent's capacity to undertake the project				
Previous experience				
Basic Concept Elements				
Compliance with project objectives				
Quality of the concept/facilities				
Cost efficiencies/operational effectiveness				
Enhanced Concept Elements				
Plans for additional facilities				
Creative leisure service enhancements				
General				
Completeness and clarity of submission				
TOTAL SCORE				

Note Score each criteria based upon the following scale:*
 (5) excellent; (4) good; (3) satisfactory; (2) marginal; (1) poor; (0) non existent

CRITERIA FOR PARK INCLUSION

- minimal or no impact on local business and/or organizations currently operating snack bars as a fund raising activity
-
- park not currently containing vending services
- reasonable amount of traffic flow throughout park area to warrant service
- readily available electrical power source
- no negative impact on park or community setting

PILOT PARK LOCATIONS FOR FIXED VENDING SERVICES

Ward 2

Eastwood Park

Ward 6

Mohawk Sports Park/Bernie Arbour

Ward 7

T.B. McQuesten Park

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **ELEVENTH** Report for 1999 and respectfully recommends:

1. **Official Plan Amendment and Zoning Application 99-04, by Ivo Civitarese, owner, for a further modification to the "E-1" District for lands located at 180 Walnut Street South.**

That Zoning Application ZAC-99-04, Ivo Civitarese, owner, requesting an amendment to the Official Plan to establish a new Special Policy Area and a further modification to the established "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations to permit a restaurant for a maximum of 45 persons within the existing building, for property located at 180 Walnut Street South, as shown on the attached map marked as APPENIDX "A", be denied for the following reasons:

- (a) The proposal would be incompatible with surrounding residential uses given the potential for spillover effects (e.g. noise, parking, litter, etc.); and,
- (b) It conflicts with the approved Corktown Neighbourhood Plan which designates the subject lands "Singles/Semis/Row - Conservation Retaining Existing Buildings".

2. **Downtown Convert/Renovate-to-Residential Loan Program 34-36 Hess S.**

That a loan under the Downtown Convert/Renovate-to-Residential Loan Program in the amount of forty-six thousand, one hundred and ten dollars (\$46,110) to Steve Pocrnic, Harry Guillo Mancini and Ronald Leslie Kovas, c.o.b. as Intrilectual Investments Inc., for conversion of 34-36 Hess Street South into three residential units be approved, subject to the fulfillment of the borrowing requirements of the Downtown Convert/Renovate-to-Residential Loan Program.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1.

CARRIED.

3. 1999 Annual Conference of the Association of Committees of Adjustment

That the Chairman of the Committee of Adjustment or his nominee and another member of the Committee of Adjustment be authorized to attend the 1999 Annual Conference of the Ontario Association of Committees of Adjustment and Consent Authorities to be held for four days, 1999 June 6 - 9, in Richmond Hill Ontario at an expense not to exceed \$940 each to be charged to account CH55201-10010, Legislative Travelling.

4. Demolition Permit- 739 Upper Paradise Rd

That the Building Commissioner be authorized to issue a demolition permit for 739 Upper Paradise Road in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

5. Removal of Part Lot Control, "Sandrina Gardens – Phase 2

- (a) That approval be given to Part Lot Control Application 99-03, DiCenzo Construction Company Ltd., owner, to remove part-lot control for Lots 59, 60, 61, 62, 65, 70, 71 and 72, Registered Plan 62M-780, "Sandrina Gardens - Phase 2", known municipally as 135, 131, 130 and 134 Sulmona Drive, 177 Assisi Street, 115, 111, and 107 Terni Blvd., for the purpose of establishing maintenance easements, as shown on the attached map marked as Appendix "B"; and,
- (b) That the appropriate by-law, to remove part lot control from Lots 59, 60, 61, 62, 65, 70, 71 and 72, Registered Plan 62M-780, "Sandrina Gardens - Phase 2", be enacted by Council; and,
- (c) That the exempting by-law be restricted to a 1 year effective time period to expire on June 1, 2000; and,
- (d) That following the enactment of this by-law, the Director, Development Approvals, Community Planning and Development Division (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the by-law and endorse the same on the by-law.

6. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

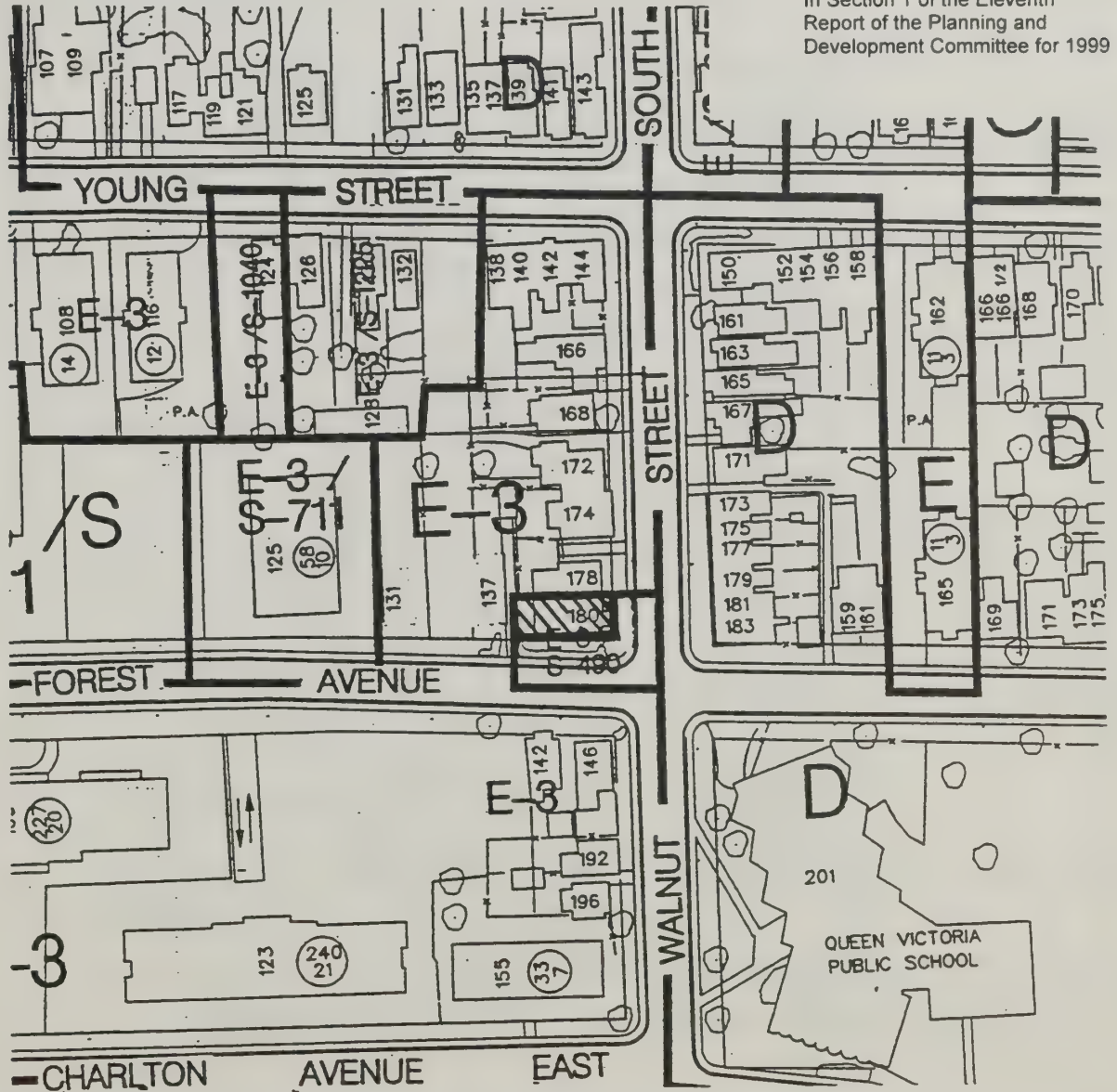
- (a) C-25 A By-law to Remove Land within the "Sandrina Gardens, Phase 2" Subdivision, Plan 62M-780 from Part Lot Control.
- (b) C-26 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 11 Cheever Street.
- (c) C-27 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 98-205 Respecting Lands Located East of West 5th Street and North of Stone Church Road West, Known Municipally as 965 West 5th Street.
- (d) C-28 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal Nos. 803, 819, 823, 865, and 871 West 5th Street.

Respectfully submitted,

**ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

**Tina Agnello, Secretary
May 5, 1999**

Appendix "A" referred to
In Section 1 of the Eleventh
Report of the Planning and
Development Committee for 1999



Map of the Application



PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend



Subject Lands

Reference file:
ZAC-99-04

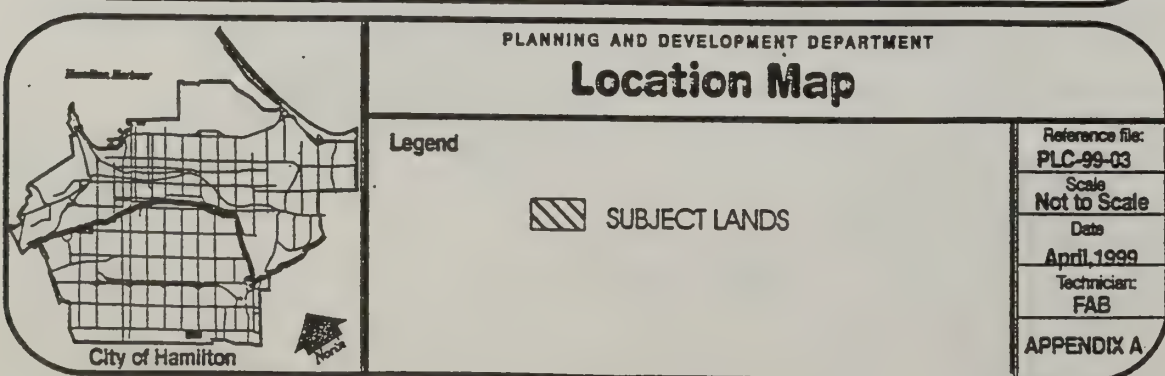
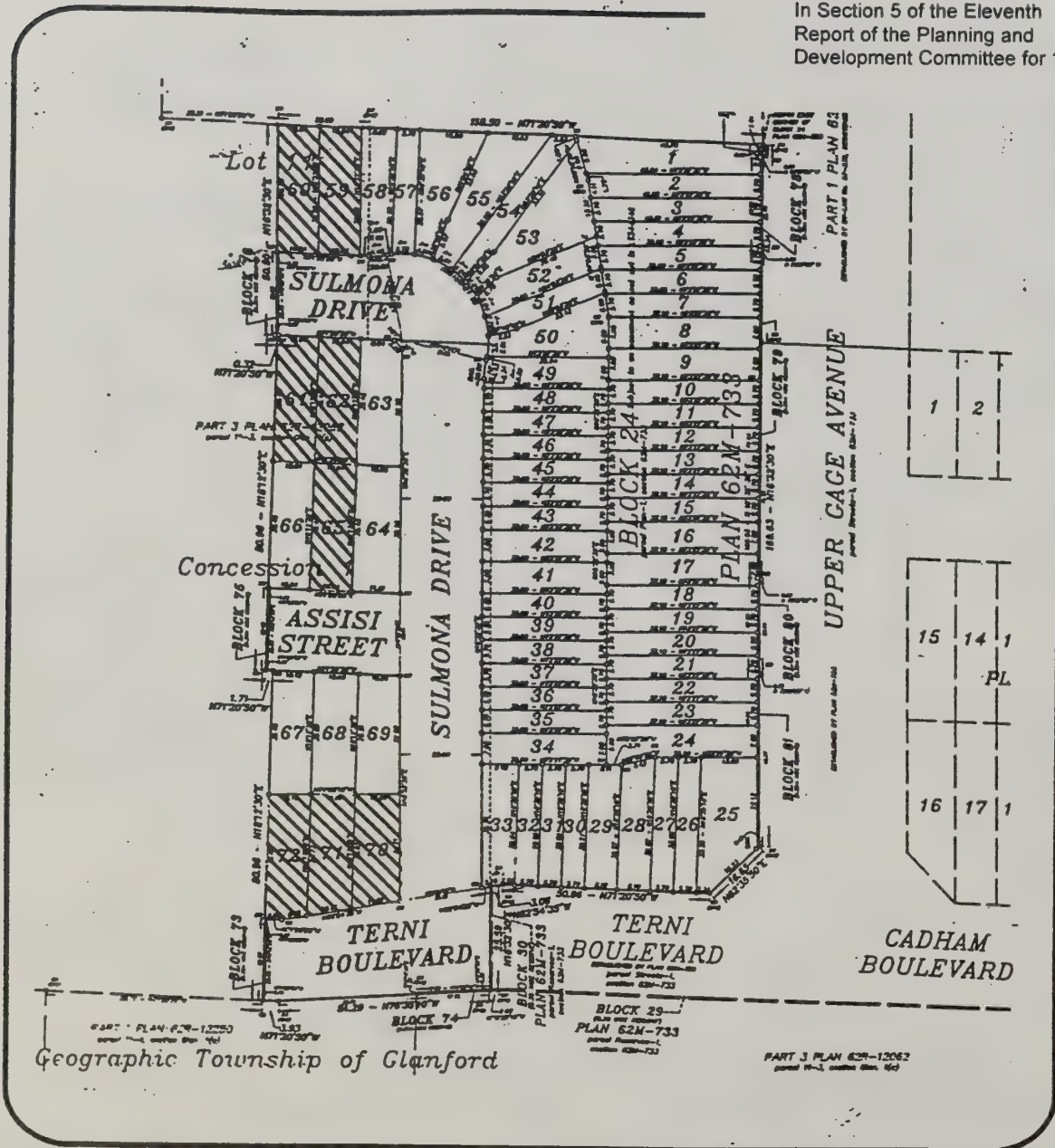
Scale
Not to Scale

Date
February, 1999

Technician
B. B.



Appendix "B" referred to
In Section 5 of the Eleventh
Report of the Planning and
Development Committee for 1999



REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance and Administration Committee presents its **NINTH** Report for 1999 and respectfully recommends:

1. Active Military/Reserve Service & Military Training Leave of Absence Policy (C-009-99/HUR99011)

- (a) That the policy on Active Military/Reserve Service & Military Training Leave of Absence for the City of Hamilton and the Region of Hamilton-Wentworth, attached herewith and marked Appendix "A", be approved; and,
- (b) That the existing Military Service Leave of Absence Procedures for the City of Hamilton approved on September 12, 1939, attached herewith and marked Appendix "B" be rescinded; and,
- (c) That the General Manager, Human Resources report back to the Joint Meeting session in one year's time on the effects of this policy to the Corporation.

2. Amendment to City of Hamilton Fireworks By-law 90-198

That City of Hamilton Fireworks By-law 90-198 be amended to allow for the following changes:

- (a) To change the authority to issue all permits made for the display of fireworks from the Manager of the License Division to the General Manager, Community Services; and,
- (b) To repeal the appeal section of the By-law.

3. Interim Recommendation regarding vehicle purchases and Fire Department restructuring

- (a) That the Fire Chief be authorized to negotiate changes to the acquisition of emergency fire apparatus from approved suppliers as approved by City Council on January 27, 1998 and on November 10, 1998 in a form satisfactory to Corporate Counsel; and

- (b) That the purchase order to Smeal Fire Apparatus Co. be increased by an amount not to exceed \$50,000; and
- (c) That the purchase order to Almonte Fire Trucks Ltd. be increased by an amount not to exceed \$450,000; and
- (d) That the Fire Chief be authorized to start the process for the acquisition of a rapid response vehicle at an estimated cost of \$150,000, to support the changes described in this report ; and
- (e) That the Finance and Administration Committee recommend the method of financing the above changes.

4. Tax Applications processed under Section 443, The Municipal Act

That realty and business tax applications processed under Section 443, of The Municipal Act, Chapter 45, Statutes of Ontario, 1990 in the amount of \$33,643.63 be approved and charged to CH55307-24104 Tax Remissions.

5. Message of Support – Kinsmen Kinette Publication

- (a) That the City provide a message of support for the Kinsmen Kinette Publication at a cost of \$250.; and,
- (b) That funding for this expenditure be charged to the Advertising and Promotion Account No. CH56302-12001

6. FCM Board of Directors

- (a) That the Federation of Canadian Municipalities be advised that Hamilton City Council nominates Alderman B. Charters as its nominee for consideration as a member of the National Board of Directors of the Federation of Canadian Municipalities; and,
- (b) That City Council agrees to meet the costs of its nominee to attend meetings of the FCM Board of Directors for the year June 1, 1999 to June 30, 2000.

7. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-12 A By-law to amend By-law No. 90-198 respecting Fireworks

May 11, 1999

- (b) D-13 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN D. WILSON
CHAIRMAN
FINANCE AND ADMINISTRATION
COMMITTEE**

Susan K. Reeder
Secretary
May 4, 1999

**CITY OF HAMILTON/REGION OF HAMILTON-WENTWORTH
HUMAN RESOURCE SERVICES
POLICY & PROCEDURE MANUAL**

SECTION: Compensation – Benefits Administration	
SUBJECT: Active Military/Reserve Service & Military Training Leave of Absence Policy	PROCEDURE NO.: 3.26
ELIGIBILITY: All Employees	

Non paid leave of absence will be granted to all City/Regional employees who are called to active military/reserve service or military training based on the following provisions:

- ☐ *Leaves of absence will also include reasonable travel time;*
- ☐ *Employees will suffer no loss of service or seniority during the period of the leave;*
- ☐ *Such leaves will not affect vacation entitlement;*
- ☐ *Employees will be entitled to all benefits during the leave, subject to co-insurance provisions, with the exception of WSIB, sick bank payments, short term disability or long term disability; and*
- ☐ *Employees will be eligible for a top-up of their military training pay to the equivalent of their regular net pay for the first ten working days of active military training leave of absence per calendar year. Top-up pay will be reimbursed to the employee upon their return to work from active service provided that the appropriate documentation is submitted.*
- ☐ *Employees will, subject to the approval of the Employer, be granted a leave of absence, without pay, for the purpose of volunteering for active service for the purpose of disaster relief or other such duties as they occur, whenever military volunteers are requested. Such decisions shall not be made in arbitrary manner.*

Approval Date:

Revision Date:

Cross Reference:

**CITY OF HAMILTON
HUMAN RESOURCE SERVICES
POLICY & PROCEDURE MANUAL**

SECTION: Compensation – Benefits Administration	
SUBJECT: Military Service Leave of Absence Procedures	PROCEDURE NO.: 3.26
ELIGIBILITY: All Employees	

That leave of absence be granted to all City employees desiring to enlist for military service; that their positions be retained in the City's employ; that they be assured of their seniority during the time of their absence; that they be granted one month's pay at the date of leaving the City's employ for such military service; and that their present positions be filled by temporary appointments only, and that every enlistment of a Civic employee be reported to City Council by the Department/Division Head in which such employee has been engaged so that a record of the person's employment and enlistment may be preserved.

Approval Date: 1939 September 12

Revision Date:

Cross Reference:

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its **FOURTH** Report for 1999 and respectfully recommends:

1. Taxicab Driver Licence – Michael Magee

That the Taxi Cab Driver Licence of Michael Magee be revoked due to Mr. Magee's criminal record.

Confidential background information provided to members of City Council under separate cover.

Respectfully Submitted,

**ALDERMAN F. EISENBERGER, CHAIRMAN
CITY OF HAMILTON LICENSING COMMITTEE**

**Stella Glover, Secretary
April 27, 1999**

May 18, 1999

**URBAN
MUNICIPAL**

Minutes of the Special Meeting of City Council
Tuesday, May 18, 1999
9:25 o'clock p.m.
Council Chambers, City Hall

URBAN MUNICIPAL

JUN 7 1999

GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor R. M. Morrow, Chairman.
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli, D. Haining,
D. Wilson, G. Copps, C. Collins, F. Eisenberger, T. Jackson, B. Charters,
T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan.

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Charters and seconded by Alderman Wilson that Rule No. 3 (d) of the City of Hamilton Procedural By-law respecting the serving of notice be waived for this special meeting of City Council. **CARRIED.**

It was moved by Alderman Charters and seconded by Alderman Wilson that Council move into Committee of the Whole to consider the Report of the Joint City\Region Budget Steering Committee with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0. **CARRIED.**

JOINT CITY\REGION BUDGET STEERING COMMITTEE - SECOND REPORT

It was moved by Alderman Charters and seconded by Alderman Wilson that the Report of the Committee of the Whole on the Report of the Joint City\Region Budget Steering Committee be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0. **CARRIED.**

May 18, 1999

City Council then adjourned at 9:30 o'clock p.m.

Taken as read and approved.

MAYOR R. M. MORROW
CHAIRMAN

J. J. Schatz, Municipal Clerk
May 18, 1999
JJS/dg

REPORT OF THE JOINT CITY/REGION BUDGET STEERING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Joint City/Region Budget Steering Committee presents its **SECOND** Report for 1999 and respectfully recommends:

1. Further reductions to meet the Corporation Targets

That the following reduction be made to the 1999 Current Budget:

- (a) That staff be directed to reduce the overall operating budget by \$425,000.

2. 1999 City Current Budget

- (a) That the recommended Program Changes in the amount of \$1,759,400 be approved.
- (b) That the following one-time costs in the amount of \$528,970 be approved and funded:
 - (i) \$195,500 from the Reserve for Uninsured Losses; and,
 - (ii) \$333,470 from the Tax Stabilization Reserve.
- (c) That the New/Enhanced Program for the Assignment of School Crossing Guards – 5 locations in the net levy amount of \$23,850 be approved and funded by a tax levy increase.
- (d) That the Supplementary Program Changes in the total amount of \$800,000 be approved.
- (e) That \$120,000 be reduced from the City's current budget as part of the \$425,000 reduction as noted in 1(a) above.
- (f) That the 1999 Tax Levy in the amount of \$116,365,800 representing a 3.67% decrease from 1998 be approved, and that this results in the 1999 total approved expenditure budget of \$163,650,010.

* Mayor Morrow raised the issue and expressed concern over the proposed increase in the rental fees for the Farmers Market stalls.

3. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-14 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS,
CHAIRMAN
JOINT CITY/REGION BUDGET
STEERING COMMITTEE**

Susan K. Reeder
Legislative Assistant
May 18, 1999

Office of the Municipal Clerk

Memorandum

TO: D. A. Lychak, City Manager
General Managers
Department Heads
Legislative Assistants

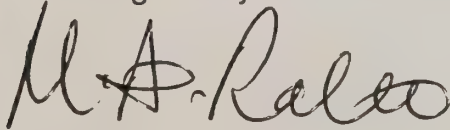
FROM: M. A. Rallo,
Acting Municipal Clerk
Office of the Municipal Clerk

PHONE: (905) 546-4117

DATE: May 28, 1999

SUBJECT: CITY COUNCIL MINUTES

Attached for your information and appropriate action is a copy of the minutes of the meeting of City Council held May 25, 1999.



MAR/dg

May 25, 1999

Minutes of Hamilton City Council
Tuesday, May 25, 1999
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

There were present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini,
B. Morelli, D. Haining, D. Wilson, G. Copps,
C. Collins, F. Eisenberger, T. Jackson, B. Charters,
T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan.

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played on the harp by Lauren S. Hill.

Rabbi Baskin, Anshe Sholom Temple led Council in prayer.

PRESENTATIONS

Mayor R. Morrow presented Certificates of Recognition to the Coronation Park Housing Company Ltd. Retiring Board Members. In attendance were: Reverend Dave Stephens, Brian Peterson, Reverend Roger Peterson, Reverend Jim Managhan, Eve MacGray, Ken Gilmour, Jean Weaymouth, Bob MacInnis, and Bill Walker

* * * * *

Mayor R. Morrow presented a Certificate of Recognition to Michael Belshaw for winning the Hamilton Highschool Science Fair.

ADOPTION OF MINUTES

The minutes of the meetings held May 11, 1999 (regular) and May 18, 1999 (special) were adopted as circulated.

CORRESPONDENCE

1. Letter dated May 7, 1999 from R. Scott Smith, Secretary, Hamilton Harbour Commissioners respecting Financial Statements for the year ending December 31, 1998 as prepared by the Commissioners' Auditors, PricewaterhouseCoopers.

Referred to the Finance and Administration Committee.

2. Application dated May 14, 1998 from Robert Shelley Construction Ltd. for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Blocks "1" and "2") for property north of Rymal Road East fronting on Eaglewood Drive, Hamilton, Ontario.

Received.

3. Application dated May 20, 1999 from Hugh MacLeod, 86 Herkimer Street, Hamilton, Ontario for a Removal of Holding Provision from "D" – "H" (Urban Protected Residential – One and Two Family Dwellings, etc. Holding) District to "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District modified for 27 Dundurn Street North, Hamilton, Ontario.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee, be considered in Committee of the Whole with Alderman D'Amico in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –17.

NAYS: -0.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – TWELFTH REPORT

Section 11 Re: Bill C-32: A By-law to Adopt Official Plan Amendment No. 159 respecting lands located on the West Side of Upper Wentworth Street, North of Rymal Road East, within the Barnstown Neighbourhood

It was moved by Alderman Copps and seconded by Alderman Haining that Section 11 of the Twelfth Report of the Planning and Development Committee be amended by adding sub-section (d) as follows:

11. (d) C-32 A By-law to Adopt Official Plan Amendment No. 159 respecting lands located on the West Side of Upper Wentworth Street, North of Rymal Road East, within the Barnstown Neighbourhood. **CARRIED.**

Rule No. 9 Re: Hamilton Harbour Commissioners' Land Use and Development By-law

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting Amendments to the Hamilton Harbour Commissioners' Land Use and Development By-law. **CARRIED.**

Section 12 Re: Hamilton Harbour Commissioners' Land Use and Development By-law

It was moved by Alderman Charters and seconded by Alderman Jackson that Section 12 be added to the Twelfth Report of the Planning and Development Committee for 1999 as follows:

12. Hamilton Harbour Commissioners' Land Use and Development By-law

WHEREAS the authority of the Hamilton Harbour Commissioners to regulate and control the use and development of land and property is

strictly limited, in particular, by the provisions of ss. 4, 12 and 15 of the *Hamilton Harbour Commissioners Act*, S.C. 1912 c. 98 as amended;

AND WHEREAS the Standing Joint Committee of the Senate and the House of Commons for the Scrutiny of Regulations requested amendments to the Land Use and Development By-Law passed by the Hamilton Harbour Commissioners on July 27, 1990 (SOR/90-449) to clarify that such By-Law did not regulate private property or rights, so as to conform to the limits established by s. 12 of the *Hamilton Harbour Commissioners Act*;

AND WHEREAS the City of Hamilton has received notice that the Hamilton Harbour Commissioners, at their board meeting of April 22, 1999 passed a By-Law Amending the said Land Use and Development By-Law;

AND WHEREAS the Hamilton Harbour Commissioners held no public consultations, and provided no other opportunity for the City to comment on the amendments to the said By-Law before they were passed;

AND WHEREAS the Council of the City of Hamilton is concerned that the amendments to Schedule I to the said By-Law appear to extend the provisions of the By-Law to lands which are not water-front property, and hence outside the limits of the Harbour of Hamilton and the jurisdiction of the Hamilton Harbour Commissioners as defined by ss. 4, 12 and 15 of the *Hamilton Harbour Commissioners Act*;

NOW THEREFORE BE IT RESOLVED THAT:

- (a) The Hamilton Harbour Commissioners be requested to confirm whether the thin strip of lands located to the northeast of the intersection of Burlington Street and Sherman Avenue, which extends southwards from the extreme eastern edge of the shaded block of lands to the east of Pier 15 on Schedule "I" (as attached hereto and marked as Appendix "J"), adjacent to the Stelco lands, are private property; and
- (b) The Joint Standing Committee of the Senate and the House of Commons for the Scrutiny of Regulations be requested to review the amendments to the said By-Law and to consider whether the shaded lands on Schedule I are water-front property, and if not, whether they are outside the limits of the Harbour of Hamilton and the jurisdiction of the Hamilton Harbour Commissioners as defined by ss. 4, 12 and 15 of the *Hamilton Harbour Commissioners Act*.

- (c) The Minister of Transport be requested to consider the above-noted issues in connection with any request for confirmation of the amendments to such By-Law under s. 20 of the *Hamilton Harbour Commissioners Act*. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE – TENTH REPORT

Section 8 Re: 1999 Summer Meeting Schedule

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1.

CARRIED.

RESOLUTION

Rule No. 9 Re: 1999 General Grants

It was moved by Alderman Caplan and seconded by Mayor Morrow that Rule No. 9 of the City's Procedural by-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the 1999 General Grants.

* * * * *

Re: Resolution regarding 1999 General Grants

It was moved by Alderman Caplan and seconded by Mayor Morrow that:

1. 1999 General Grants

- (a) That the 1999 General Grant Recommendations as outlined in Appendix "A", Column 3, attached hereto, be approved in the total amount of \$145,880 and funded from within the Grants Centre CH 200XX; and,

- (b) That a report be forwarded to Council with respect to all of those applications indicated in (a) above as tabled and pending.

2. Lakeland Pool Capital Grant

That a Capital Grant in the amount of \$35,000 to Lakeland Family Pool Association be approved, and funded from the Reserve for Capital Projects Centre CH00203.

Recorded vote on Section 2.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico. -16.

NAYS: Alderman O'Sullivan. -1.

CARRIED.

NOTICE OF MOTION FOR NEXT MEETING

Alderman Caplan gave notice that he would move at the next regular meeting of City Council the following:

That the City of Hamilton, as a millenium project, plant 1,000 trees over the next ten (10) years; and

That the increase of our urban forest be dedicated in an appropriate manner to honour Hamiltonians.

ACTING MAYOR FOR THE MONTH OF JUNE, 1999

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman A. Horwath be appointed Acting Mayor for the month of June, 1999.

CARRIED.

* * * * *

May 25, 1999

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:55 o'clock p.m.

* * * * *

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**M. Rallo,
Acting Municipal Clerk
May 25, 1999
MAR/dg**

THE CORPORATION OF THE CITY OF HAMILTON

May 25, 1999

1999 GENERAL GRANT SUBMISSIONS

APPENDIX "A" as referred to in a resolution

Item No. (1)	Name of the Organization (2)	1999 Approved Grant (3)	1999 Requested Grant (4)	1998 Grant (5)	Advanced Funding Program (6)
1	Canadian Ballet Youth Ensemble - to help offset costs	Tabled	\$50,000	\$10,000	\$40,000
2 <u>LATE</u> <u>APPL'N</u>	Catholic Children's Aid Society of Hamilton-Wentworth - to support the Great Escape Summer Program for 1999.	Pending	\$8,175	-	
3	Comunita Racalmutese Maria SS del Monte - to cover operating expenses and yearly community festivities	\$5,000	\$30,000	\$5,000	
4	Concession Street B.I.A. - to help offset festival costs and programming	\$1,000	\$3,000	\$1,000	
5	<i>Confederation Marine Modellers Inc.</i> - operating funds	Pending	\$1,000		
6	Conqueror II Drum & Bugle Corps - to purchase new uniforms and instruments and operating expenses	Tabled	\$9,999	\$6,000	\$40,000
7	Cycle Hamilton Inc. - to offsets cost of executing bicycle race	Pending	\$7,500	-	
8	Diverse Community Achievement Centre - to offset portion of operational costs	Tabled	\$10,000	\$2,000	\$28,400
9	Hamilton All Star Jazz Bands Inc. - operating costs	\$5,000	\$6,000	\$5,000	
10	Hamilton Artists Inc. - offset rent and other costs	\$7,000	\$9,000	\$7,000	
11	Hamilton Association for Community Living - to increase participation in activities	Refer to capital	\$26,727	-	
12	Hamilton Children's Choir - to assist in operating expenses	Tabled	\$1,500	\$700	\$5,000
13	Hamilton Concert Band - to help defray operating costs	\$2,630	\$3,000	\$2,630	
14	Hamilton Cultural & Ethnic Mosaic Association - operating costs	\$2,000	\$24,916	\$2,000	
15	<i>Hamilton Dance Company</i> - to offset costs of yearly production	Pending	\$1,600	-	

THE CORPORATION OF THE CITY OF HAMILTON

1999 GENERAL GRANT SUBMISSIONS

Appendix A

Item No. (1)	Name of the Organization (2)	1999 Approved Grant (3)	1999 Requested Grant (4)	1998 Grant (5)	Advanced Funding Program (6)
16	Hamilton District Baseball Association - to help defray expenses of associations	\$4,000	\$9,000	\$4,000	
17	Hamilton & District Labour Council - to help offset costs of parade and picnic	\$1,000	\$1,000	\$1,000	
18	<i>Hamilton Estonian School</i> - to help offset general operating costs	<i>Pending</i>	\$500	-	
19	Hamilton Folk Arts Heritage Council - to help with expenses of It's Your Festival	Tabled	\$40,000	\$10,000	\$10,000
20	Hamilton Gallery of Distinction - to offset costs of holding annual dinner	\$3,000	\$5,000	\$3,000	
21	Hamilton Lacrosse Association - offset costs of developing field lacrosse program	\$5,000 Subject to F/S	\$15,000	\$5,000	
22	Hamilton Minor Football Association - to offset general operating costs	\$9,000	\$9,000	\$9,000	
23	<i>Hamilton Olympic Club</i> - to help defray expenses for track and field events	<i>Refer to capital</i>	\$1,500	-	
24	Hamilton Pontiacs Softball Team - to help cover cost of park rental	\$500	\$800	\$500	
25	Hamilton Safety Council - to maintain Safety Programs	\$18,000	\$48,000	\$18,000	
26	<i>Hamilton Sparta Sports Club</i> - to carry out expansion program	<i>Refer to capital</i>	\$8,000	-	
27	<i>Hamilton Special Needs Skating Program</i> - to help defray costs of operating	<i>Refer to capital</i>	\$9,230	-	
28	Hamilton Visual Art Centre (Cottage Studio) - for operating supplies	\$0	\$2,123	\$500	
29	Hamilton-Wentworth Aquatic Club - to help offset costs of pool rental	Pending	\$20,000	-	\$34,200
30	Hamilton-Wentworth Community Net - to help offset operating costs	Pending	\$10,000	-	

THE CORPORATION OF THE CITY OF HAMILTON

May 25, 1999

1999 GENERAL GRANT SUBMISSIONS

Appendix A

Item No. (1)	Name of the Organization (2)	1999 Approved Grant (3)	1999 Requested Grant (4)	1998 Grant (5)	Advance Funding Program (6)
31	<i>Hamilton-Wentworth Stroke Recovery As - to help offset operating costs</i>	Pending	\$9,775	-	
32	India Canada Society - to help defray operating costs	\$1,000	\$5,000	\$1,000	
33	The John Laing Singers - general operating support - to help defray operating costs	\$3,000	\$4,000	\$3,000	
34	Junior Achievement of Hamilton/Wentworth - to help defray operating costs	Tabled	\$7,500	\$5,000	\$12,000
35	The Kiwanis Music Festival of Hamilton-Wentworth - to help defray expenses	\$2,500	\$2,500	\$2,500	
36	Mount Hamilton Soccer Club - defray costs of equipment and uniforms	\$1,000 Subject to F/S	\$5,000	-	
37	Music in the City - for operating expenses	\$2,000 Subject to F/S	\$10,000	\$2,000	
38	Native Indian/Inuit Photographers' Association - to be used towards operating and programming	\$4,750	\$10,000	\$4,750	
39	Navy League of Canada - Hamilton Branch - to purchase docking	Refer to capital	\$10,000	-	
40 <u>LATE</u> <u>APPL'N</u>	91st Highlanders Athletic Association - to help defray costs of events	\$39,000	\$50,000	\$39,000	
41	Ontario Visually-Impaired Golfers Corp - to provide lessons and privileges to play golf	\$2,000	\$5,000	\$2,000	
42	Players' Guild - to help defray operating costs	Tabled	\$5,000	\$3,000	\$10,000
43	St. John Ambulance - to support the Youth Programme	Pending	\$5,000	-	
44	Serbian Folklore Ensemble KOLO - for general operating costs	\$2,000	\$8,500	\$2,000	
45	<i>Social Planning & Research Council - to help defray operating costs</i>	Pending	\$2,746	-	\$10,000

THE CORPORATION OF THE CITY OF HAMILTON

May 25, 1999

1999 GENERAL GRANT SUBMISSIONS

Appendix A

Item No. (1)	Name of the Organization (2)	1999 Approved Grant (3)	1999 Requested Grant (4)	1998 Grant (5)	Advanced Funding Program (6)
46	Steel City Youth Ensemble - to help finance music programmes	Pending	\$5,000	-	\$11,100
47 <u>LATE</u> <u>APPL'N</u>	Symphony Hamilton - to help offset operating costs	Tabled	\$12,000	\$6,000	\$20,000
48	Trinidad & Tobago Assoc. of Hamilton-Wentworth - to cover operating expenses for programmes	\$500	\$9,000	\$500	
49	Volunteer Centre of Hamilton & District - to offset expenses for Volunteer week	Tabled	\$10,000	\$8,000	\$25,000
50	Wesley Urban Ministries-Kirkendall Strathcona Neighbourhood House - to help run programs	\$0	\$25,000	-	
51	Wesley Urban Ministries - to help with operating expenses	\$25,000	\$25,000	\$25,000	
52 <u>LATE</u> <u>APPL'N</u>	Westdale Village BIA - to help offset operating costs of festival - application received May 17	Pending	\$5,000	-	
SUB-TOTAL of Operating Grants		\$145,880	\$597,591	\$196,080	\$245,700

THE CORPORATION OF THE CITY OF HAMILTON

May 25, 1999

1999 GENERAL GRANT SUBMISSIONS

Appendix A

Item No. (1)	Name of the Organization (2)	1999 Approved Grant (3)	1999 Requested Grant (4)	1998 Grant (5)	Advance Funding Program (6)
	CAPITAL GRANTS				
53 LATE APPL'N	<i>Hamilton Trinacria Association</i> - for roof and fence repairs	<i>Refer to capital</i>	\$4,000	-	-
54	Hamilton Victoria Curling Club - to replace headers providing bring to many pipes under the ice surface	Refer to capital	\$9,900	-	-
55	<i>Hamilton-Wentworth Community Net</i> - terminals, printer	<i>Refer to capital</i>	<i>\$10,000</i>	-	-
56	Hamilton YWCA - for renovations to ground floor and basement	Refer to capital	\$60,000	-	-
57	<i>Her Majesty's Army & Navy Veterans' Society of Hamilton</i> - to upgrade heritage property	<i>Refer to capital</i>	<i>\$15,000</i>	-	-
58	Lakeland Family Pool Association - for pumps and equipment	Refer to capital	\$50,000	\$32,400	\$32,400
				*note monies were outside the grant process	
59	Rosedale Tennis Club - down payment for new bubble	Refer to capital	\$50,000		
60	<i>*Interval House</i> <i>*Added Starter referred from the Region at Regional Council April 6, 1999</i> <i>- Fresh Start Campaign</i>	<i>Refer to capital</i>	<i>\$50,000</i>	-	-
61	<i>New Hamilton Orchestra</i>	<i>Refer to capital</i>	<i>\$35,000</i>	-	-
62	Portuguese Hall at St. Mary's Church	Refer to capital	\$10,000	-	-
63	Armenian Community Centre	Refer to capital	\$10,000	-	-
	CAPITAL GRANTS TOTAL		\$303,900		
	TOTAL of Operating & Capital Grants	\$145,880	\$901,491	\$196,080	\$245,700

**LATE
APPL'N** Indicates late application

ITALICS Italics Indicates first time application

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **TWELFTH** Report for 1999 and respectfully recommends:

1. ZA-99-08, for 1062 and 1088 Upper Paradise Road

- (a) That approval be given to Zoning Application ZAC-99-08, Visplar Holdings Limited (E. LeBerge), owner, for a modification in zoning to the established "D" (Urban Protected Residential – One and Two Family, etc.) District (Block "1") and "D" – 'H' (Urban Protected Residential – One and Two Family, etc. - Holding) District (Block "2"), for lands known municipally as 1062 and 1088 Upper Paradise Road, as shown on the attached map marked as Appendix "A", on the following basis:

- (i) That Subsection 7. of Zoning By-law No. 98-210 be repealed in its entirety and replaced with the following:

"That the "D" (Urban Protected Residential - One and Two Family, etc.) District regulations, as contained in Section 10 of Zoning By-law No. 6593, applicable to Blocks "4" and "5" referred to in Sections 1.(a) and (b), be modified to include the following variances as special requirements

- (a) for a dwelling with a detached garage, then the following provisions shall apply:

- (1) that notwithstanding Section 10.(3)(i) of Zoning By-law No. 6593, the following shall apply:

- (i) a front yard of a depth of at least 4.5 metres to the main wall of the dwelling shall be provided and maintained;

- (2) that every roofed-over and unenclosed front porch shall have a minimum width of 3.0 metres and a minimum depth of 2.0 metres for every single family dwelling and two family dwelling;

- (3) that notwithstanding Section 18.(3)(d) of Zoning By-law No. 6593, a roofed-over porch shall be

- setback at least 2.0 metres from the front lot line;
- (4) that notwithstanding Section 10.(3)(ii) of Zoning By-law No. 6593, for a single family dwelling one side yard of at least 0.9 metres and one side yard of at least 2.8 metres shall be provided and maintained;
 - (5) that notwithstanding Section 10.(3)(ii) of Zoning By-law No. 6593, for a two family dwelling a side yard of at least 2.8 metres shall be provided and maintained;
 - (6) that in addition to the requirements of Section 18A. of Zoning By-law No. 6593, a T-shaped manouvering area shall be provided and maintained in the rear yard for each single family dwelling;
 - (7) that for every single family dwelling and two family dwelling, one of the required parking spaces shall be provided and maintained in a detached garage;
 - (8) that notwithstanding Section 18.(4) of Zoning By-law No. 6593, a swimming pool shall not be permitted;
- (b) for a dwelling with an attached garage, then the following provisions shall apply:
- (1) that notwithstanding Section 10.(3)(i) of Zoning By-law No. 6593, the following shall apply:
 - (i) a front yard having a depth of not less than 4.5 metres to the main wall of the dwelling shall be provided and maintained; and,
 - (ii) a front yard having a depth of not less than 6.0 metres to the garage or carport shall be provided and maintained;
 - (2) that every roofed-over and unenclosed front porch shall have a minimum width of 3.0 metres and a minimum depth of 2.0 metres for every single family dwelling and two family dwelling;
 - (3) that notwithstanding Section 18.(3)(vi)(d) of Zoning By-law No. 6593, a roofed-over porch

shall be setback at least 2.0 metres from the front lot line;

- (4) that notwithstanding Section 18.(4) of Zoning By-law No. 6593, a swimming pool shall not be permitted;"
- (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593, as amended by By-law No. 98-210, as Schedule S-1405b, and that the subject lands on Zoning District Map W-37D be notated as S-1405b;
- (iii) That the Corporate Counsel be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37D for presentation to City Council; and,
- (iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. Request for an Amendment to the Official Plan – 649 Pritchard Road

- (a) That approval be given to Official Plan Amendment No. 161, to establish a Special Policy Area to permit an industrial use within 90 m of existing residential uses, for property located at 649 Pritchard Road, as shown on the attached map marked as Appendix "B"; and,
- (b) That the General Manager, Community Planning & Development Division be authorized and directed to prepare a by-law of adoption, to the satisfaction of the Corporate Counsel, for submission to the Region of Hamilton-Wentworth; and,
- (c) That the by-law of adoption not be forwarded to Council until the Chairman of Planning and Development Committee and the Ward Alderman have signed the report approving Site Plan Control application DA-99-01 for the subject lands, including an amendment to the Neighbourhood Plan for the East Mountain Industrial Business Park to delete the proposed cul-de-sac running easterly from Pritchard Road.

3. OPA 159, west side of Upper Wentworth Street, north of Rymal Road East

- (a) That approval be given to Official Plan Amendment No. 159 to redesignate the subject lands from RESIDENTIAL to MAJOR INSTITUTIONAL on Schedule "A" – Land Use Concept, to permit

the development of the lands on the west side of Upper Wentworth Street, north of Rymal Road East for a 120 bed nursing home, as shown on the attached map marked as Appendix "C"; and,

- (b) That upon finalization of the Official Plan Amendment, the subject lands be redesignated from "Medium Density Apartments" to "Civic and Institutional" in the approved Barnstown Neighbourhood Plan; and,
- (c) That the General Manager of the Community Planning and Development Division be authorized and directed to prepare a by-law, to the satisfaction of Corporate Counsel, for submission to the Region of Hamilton-Wentworth.

4. Kentley Neighbourhood Plan Review, 505 to 537 Queenston Road

- (a) That Land Use Option 3b Mixed Uses – Commercial Conversions and Dwellings, as outlined in this report, be endorsed as the land use option for the subject lands, shown on the attached map marked as Appendix "D"; and,
- (b) That the Community Planning and Development Division be directed to undertake the appropriate Official Plan Amendment, Neighbourhood Plan Amendment (including Design Guidelines) and Rezoning to implement Option 3b Mixed Uses – Commercial Conversions and Dwellings.

5. Core Heritage 2000 Program, 46 Ferguson Avenue South

That a grant, for façade improvements, under the Core Heritage 2000 Program in the amount of \$2,198 to Radigan Bros. Ltd., registered owners of 46 Ferguson Avenue South, be approved, subject to an encroachment agreement with the City of Hamilton being executed.

6. Authorization for Staff Attendance at an Ontario Municipal Board Hearing 70 Emerald Street South

That the appropriate staff (e.g. Legal Services and Community Planning and Development) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-99-34, respecting property located at No. 70 Emerald Street South, as shown on attached map marked as Appendix "E".

7. Authorization for Staff Attendance at an Ontario Municipal Board Hearing – 109 Emerson Street.

That the appropriate staff (e.g. Legal Services and Community Planning and Development) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-99:40, respecting property located at No. 109 Emerson Street, as shown on attached map marked as Appendix "F".

8. Proposed Site Plan Control By-Law – 111 Traymore Avenue

- (a) That Schedule "A" to Site Plan Control By-law No. 79-275, as amended by By-law No. 87-233, be further amended by adding the lands located at No. 111 Traymore Street (as enlarged by severance application B-98-6), as shown on the attached Appendix "G"; and,
- (b) That the General Manager of Community Planning and Development be directed to prepare the necessary By-law, to amend By-law No. 79-275, in a form satisfactory to Corporate Counsel, for presentation to City Council.

9. King Street West BIA – Board of Management and Budget and schedule of Payments for 1999

- (a) That the following individuals be appointed to the King Street West B.I.A.'s Board of Management :

Catherine Sennett	300 King St. W., Small Talk Clothing Co. Owner/Tenant
Trudy Parsons	306 King St. W., Keyin College, Tenant
David Vukmanich	216-220 King St. W., Owner
Mark Milligan	246 King St. W., Owner/Tenant
Michael Zaccaria	290 King St. W., Owner/Tenant
Alderman A. Horwath	Ward 2
Alderman R. Corsini	Ward 2

- (b) That the 1999 operating budget for the King Street West B.I.A., attached hereto as appendix "H", be approved in the amount of \$2,800; and,

- (c) That the General Manager of Finance, be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 1999 budget as referenced in (b) above; and,
- (d) That the following payment for 1999 be approved:

May 26	\$2,800.00
--------	------------

10. Heritage Permit – 176 Delaware Avenue

That a Heritage Permit be approved for a two-storey rear addition, as shown on the elevation plans attached hereto as Appendix "I", to the single-family house at 176 Delaware Avenue, located in the St. Clair Boulevard Heritage Conservation District.

11. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-29 A By-law to Amend By-law No. 93-167 Respecting Building Permit and Inspection Fees.
- (b) C-30 A By-law to Amend By-law No. 98-243 Respecting Property Standards Fees.
- (c) C-31 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located East of Greenhill Avenue, West of Webster Road and North of the Existing Railway Line.
- (d) C-32 A By-law to Adopt Official Plan Amendment No. 159 respecting lands located on the West Side of Upper Wentworth Street, North of Rymal Road East, within the Barnstown Neighbourhood. **ADDEDED.**

12. Hamilton Harbour Commissioners' Land Use and Development By-law

WHEREAS the authority of the Hamilton Harbour Commissioners to regulate and control the use and development of land and property is strictly limited, in particular, by the provisions of ss. 4, 12 and 15 of the *Hamilton Harbour Commissioners Act*, S.C. 1912 c. 98 as amended;

AND WHEREAS the Standing Joint Committee of the Senate and the House of Commons for the Scrutiny of Regulations requested amendments to the Land Use and Development By-Law passed by the Hamilton Harbour Commissioners on July 27, 1990 (SOR/90-449) to clarify that such By-Law did not regulate private property or rights, so as to conform to the limits established by s. 12 of the *Hamilton Harbour Commissioners Act*;

AND WHEREAS the City of Hamilton has received notice that the Hamilton Harbour Commissioners, at their board meeting of April 22, 1999 passed a By-Law Amending the said Land Use and Development By-Law;

AND WHEREAS the Hamilton Harbour Commissioners held no public consultations, and provided no other opportunity for the City to comment on the amendments to the said By-Law before they were passed;

AND WHEREAS the Council of the City of Hamilton is concerned that the amendments to Schedule I to the said By-Law appear to extend the provisions of the By-Law to lands which are not water-front property, and hence outside the limits of the Harbour of Hamilton and the jurisdiction of the Hamilton Harbour Commissioners as defined by ss. 4, 12 and 15 of the *Hamilton Harbour Commissioners Act*;

NOW THEREFORE BE IT RESOLVED THAT:

- (a) The Hamilton Harbour Commissioners be requested to confirm whether the thin strip of lands located to the northeast of the intersection of Burlington Street and Sherman Avenue, which extends southwards from the extreme eastern edge of the shaded block of lands to the east of Pier 15 on Schedule "I" (as attached hereto and marked as Appendix "J"), adjacent to the Stelco lands, are private property; and
- (b) The Joint Standing Committee of the Senate and the House of Commons for the Scrutiny of Regulations be requested to review the amendments to the said By-Law and to consider whether the shaded lands on Schedule I are water-front property, and if not, whether they are outside the limits of the Harbour of Hamilton and the jurisdiction of the Hamilton Harbour Commissioners as defined by ss. 4, 12 and 15 of the *Hamilton Harbour Commissioners Act*.

May 25, 1999

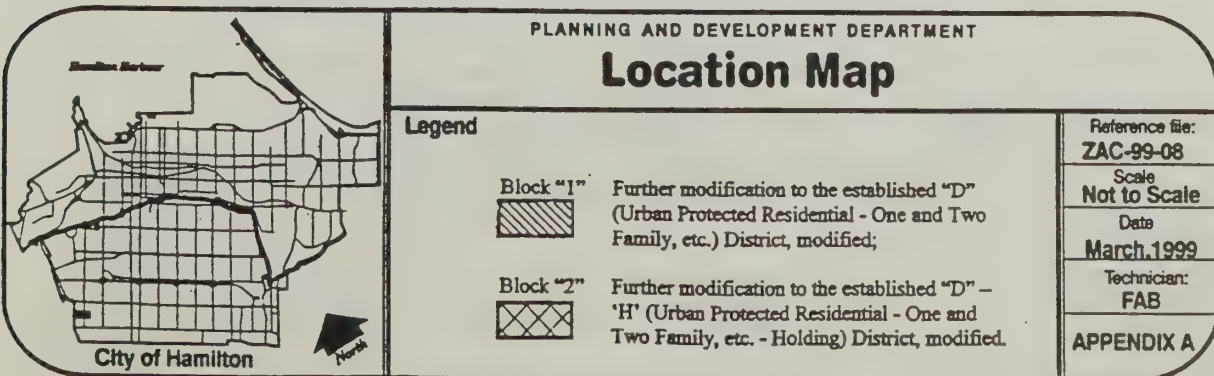
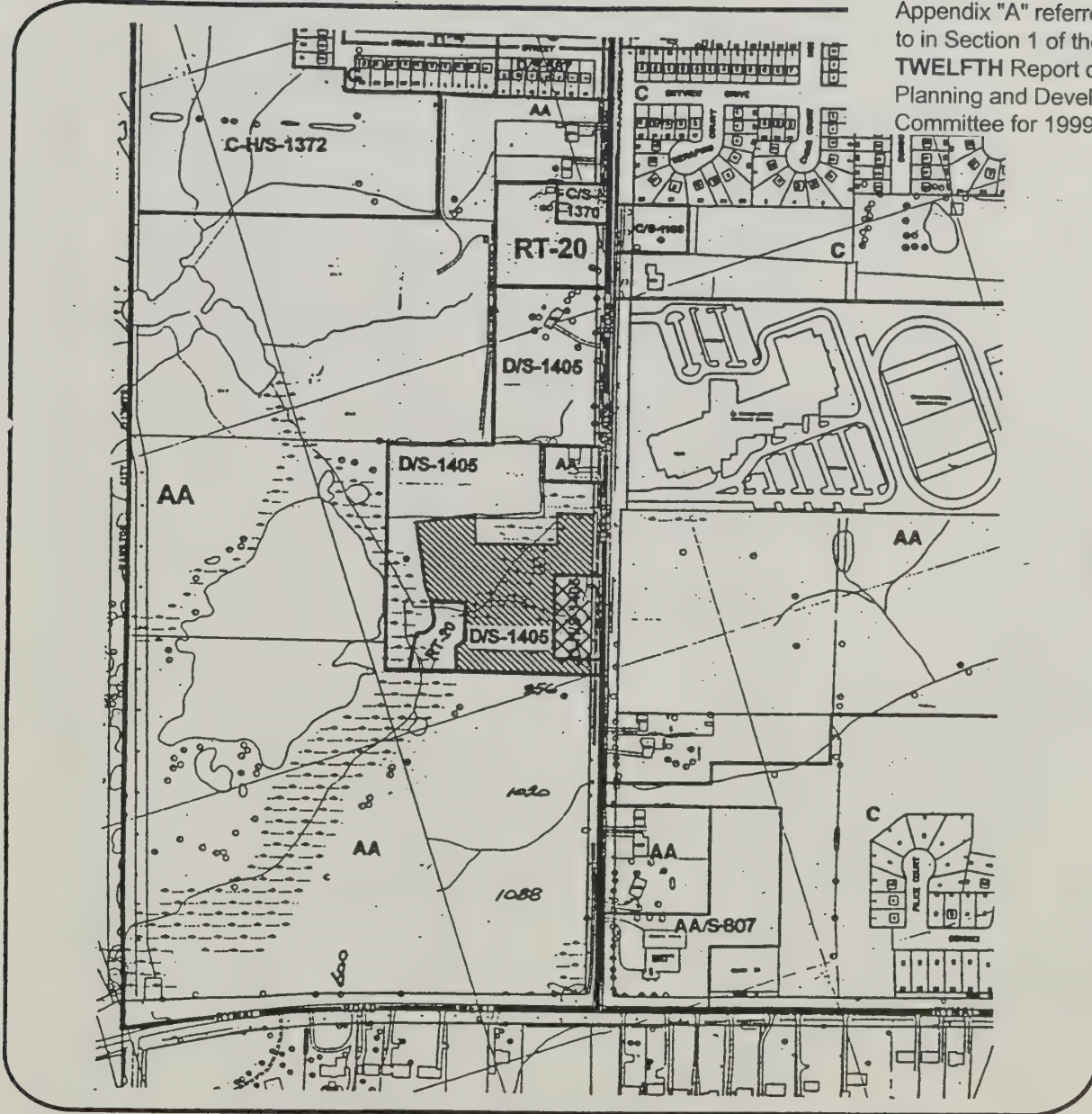
- (c) The Minister of Transport be requested to consider the above-noted issues in connection with any request for confirmation of the amendments to such By-Law under s. 20 of the *Hamilton Harbour Commissioners Act*. **ADDED.**

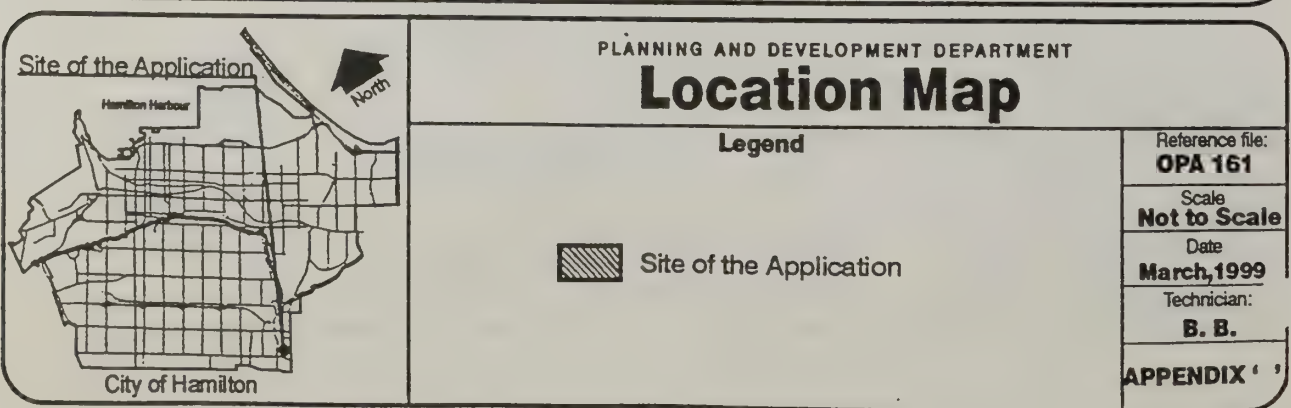
Respectfully submitted,

**ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

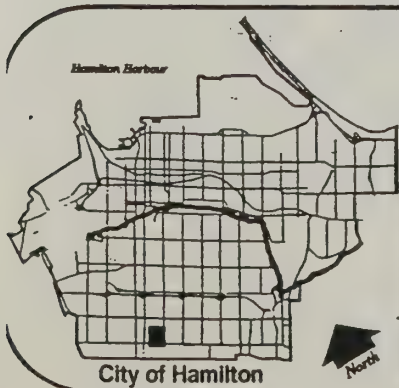
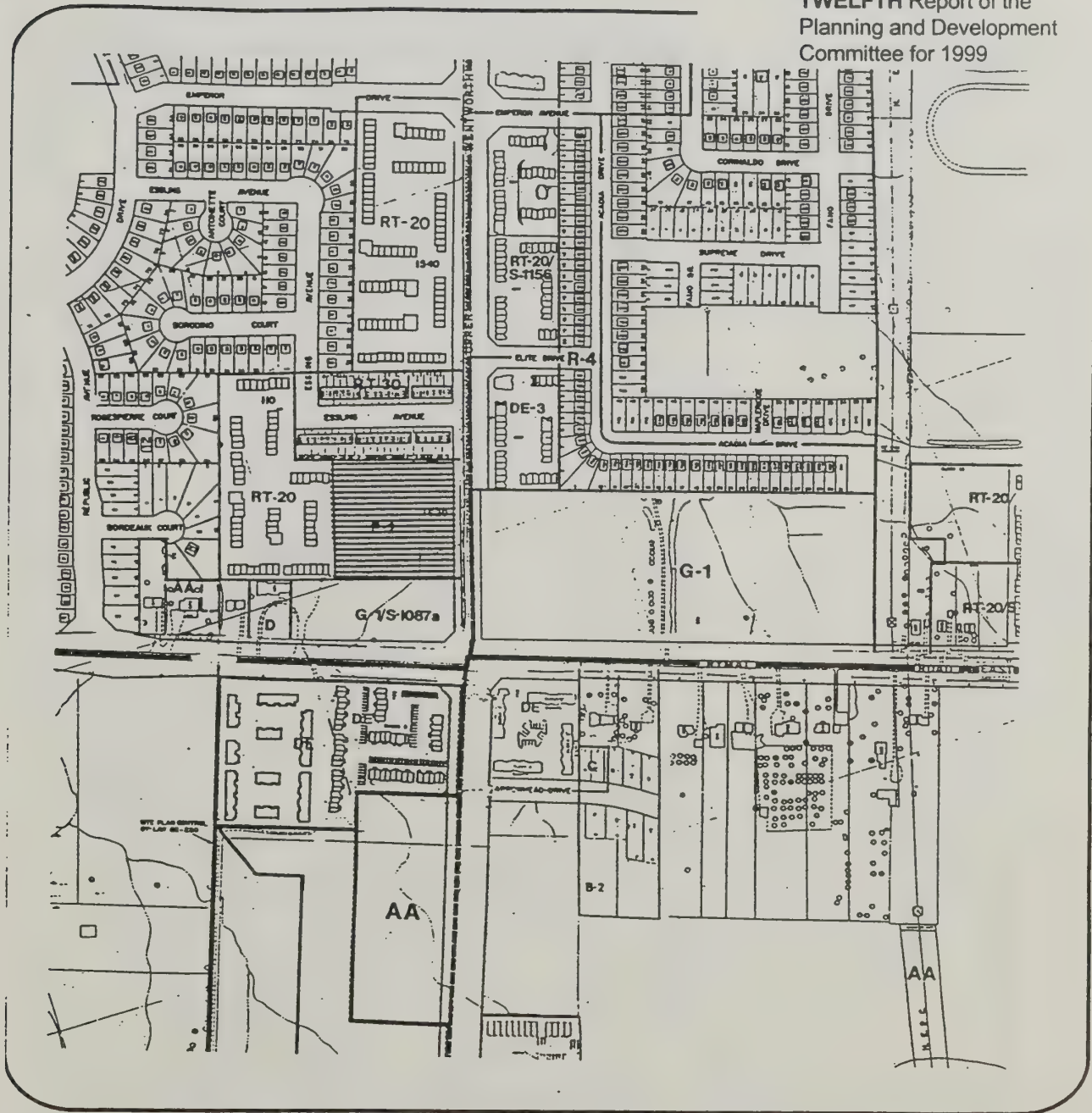
**Tina Agnello, Secretary
May 19, 1999**

Appendix "A" referred to in Section 1 of the TWELFTH Report of the Planning and Development Committee for 1999





Appendix "C" referred
to in Section 3 of the
TWELFTH Report of the
Planning and Development
Committee for 1999



PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend



Site of Application

Reference file:

OPA-159

Scale

Not to Scale

Date

February, 1999

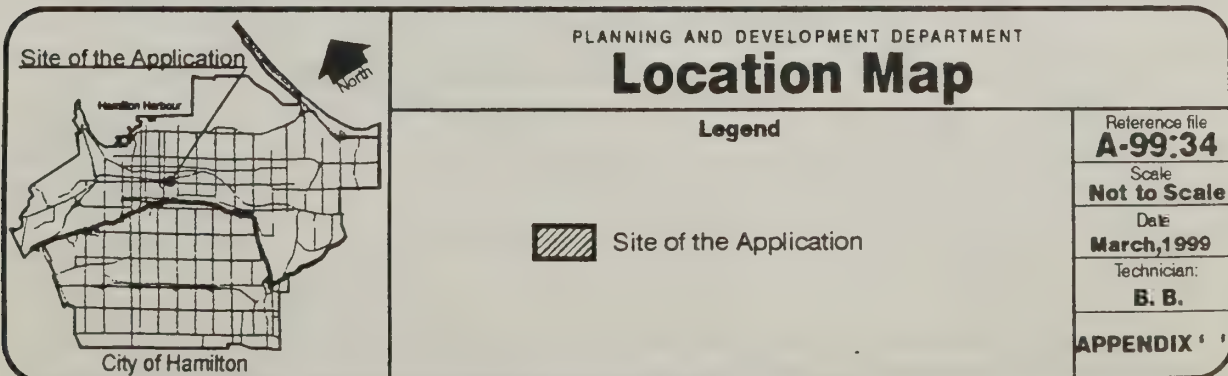
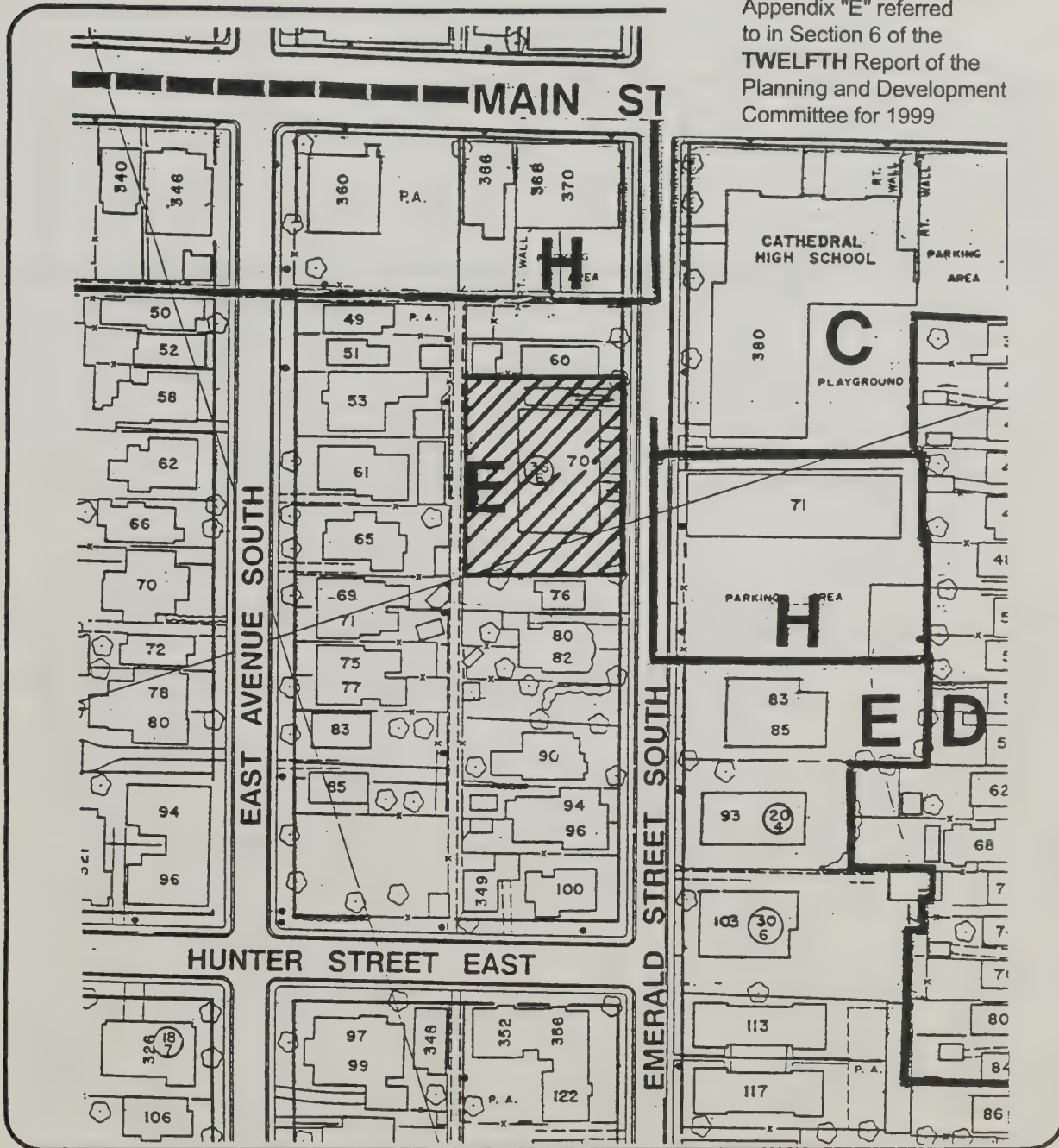
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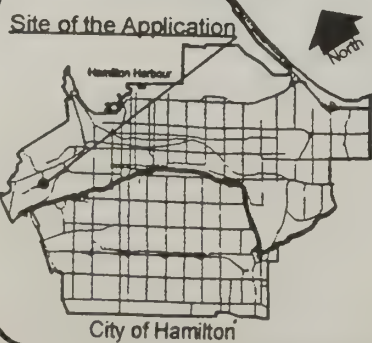
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APPENDIX A



Appendix "E" referred
to in Section 6 of the
TWELFTH Report of the
Planning and Development
Committee for 1999





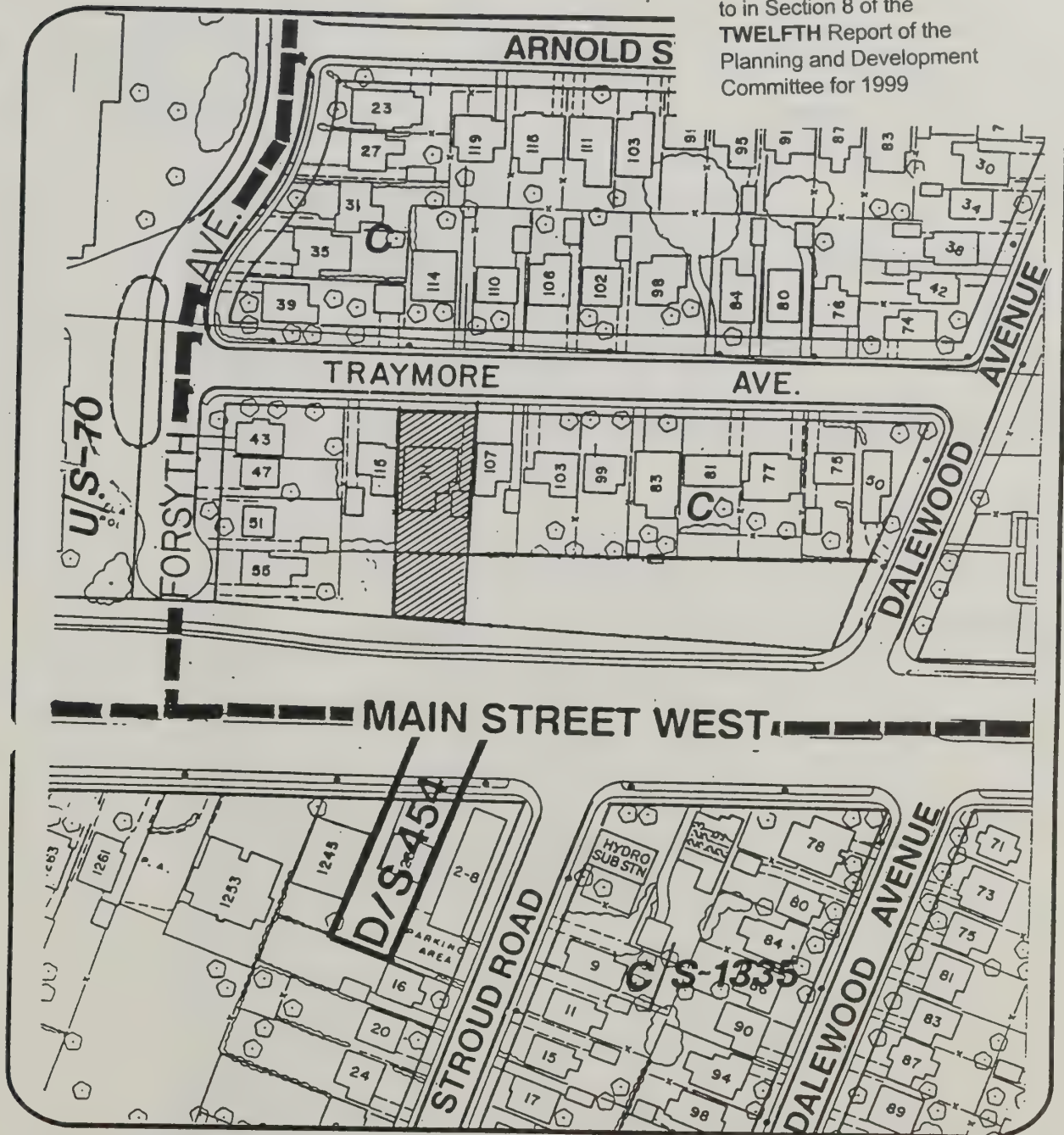
Location Map

 Site of the Application

APPENDIX ' '

May 25, 1999

Appendix "G" referred
to in Section 8 of the
TWELFTH Report of the
Planning and Development
Committee for 1999



Hamilton Harbour

City of Hamilton

PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend

SITE OF APPLICATION

Reference file:
B-98-6
Scale
Not to Scale
Date
April, 1999
Technician:
FAB

APPENDIX

May 25, 1999

Appendix "H" referred
to in Section 9 of the
TWELFTH Report of the
Planning and Development
Committee for 1999

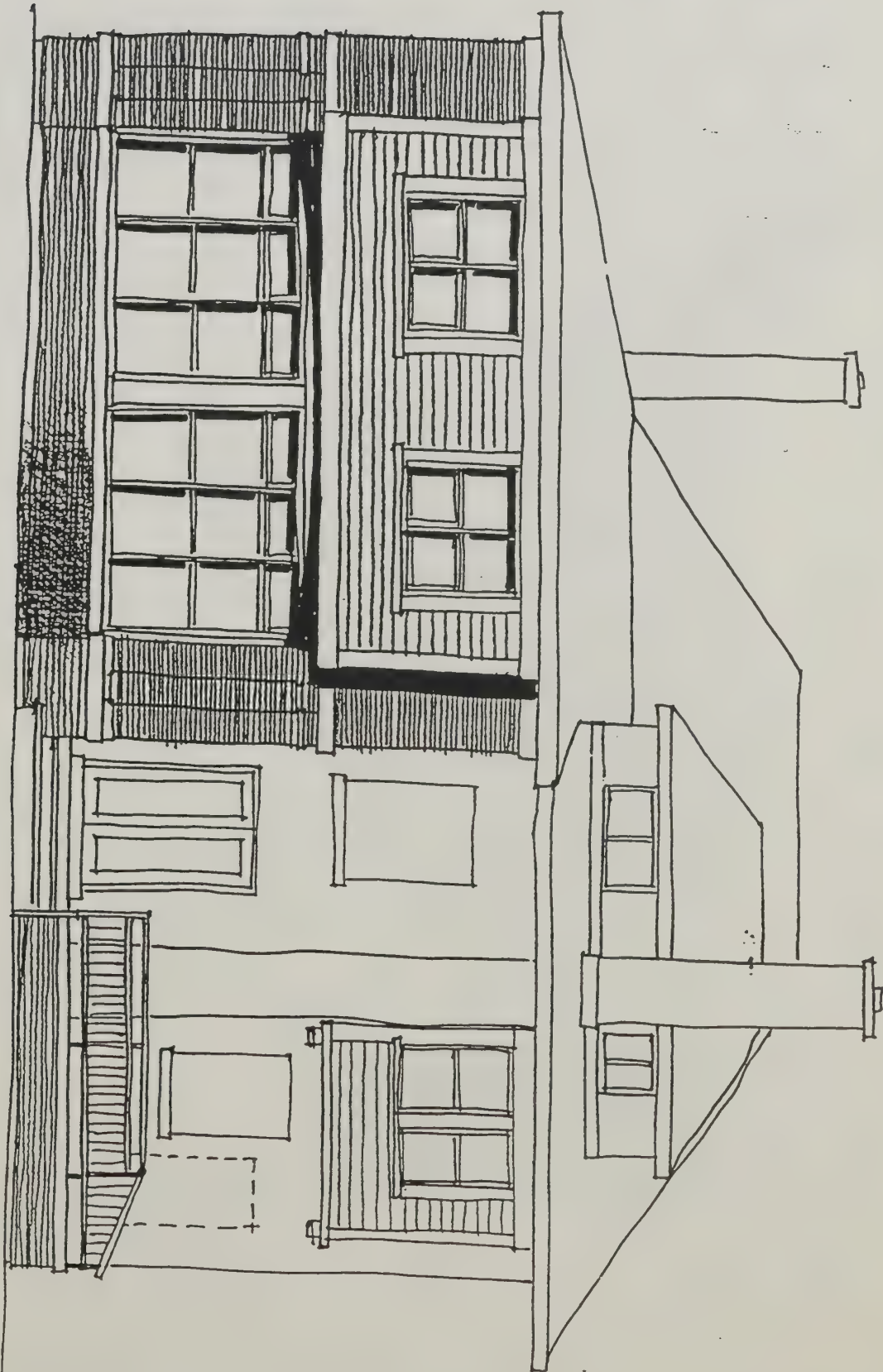
KING STREET WEST PROPOSED BUDGET FOR 1999

Expenses:

Administration, photocopying, paper, postage, meetings, advertising/promotion, Special Events	\$1520.00
Insurance	\$ 600.00
Accounting Audit	\$ 400.00
Contingency fund	\$ 280.00
Total	\$2800.00

May 25, 1999

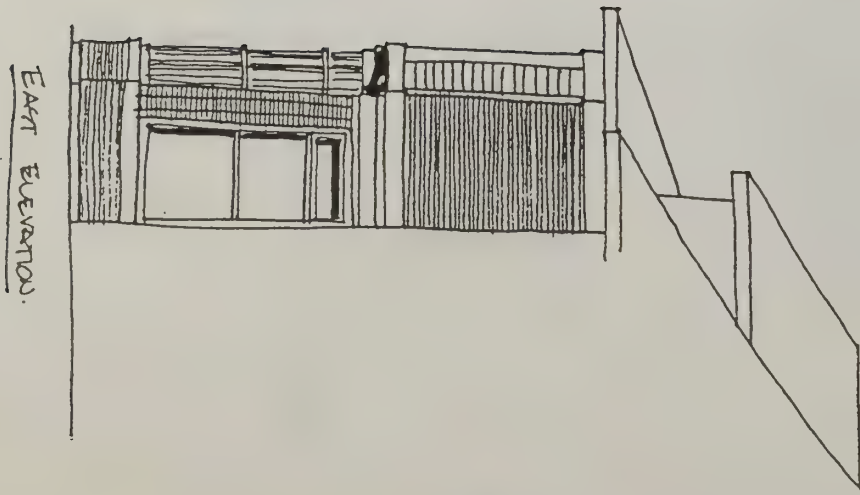
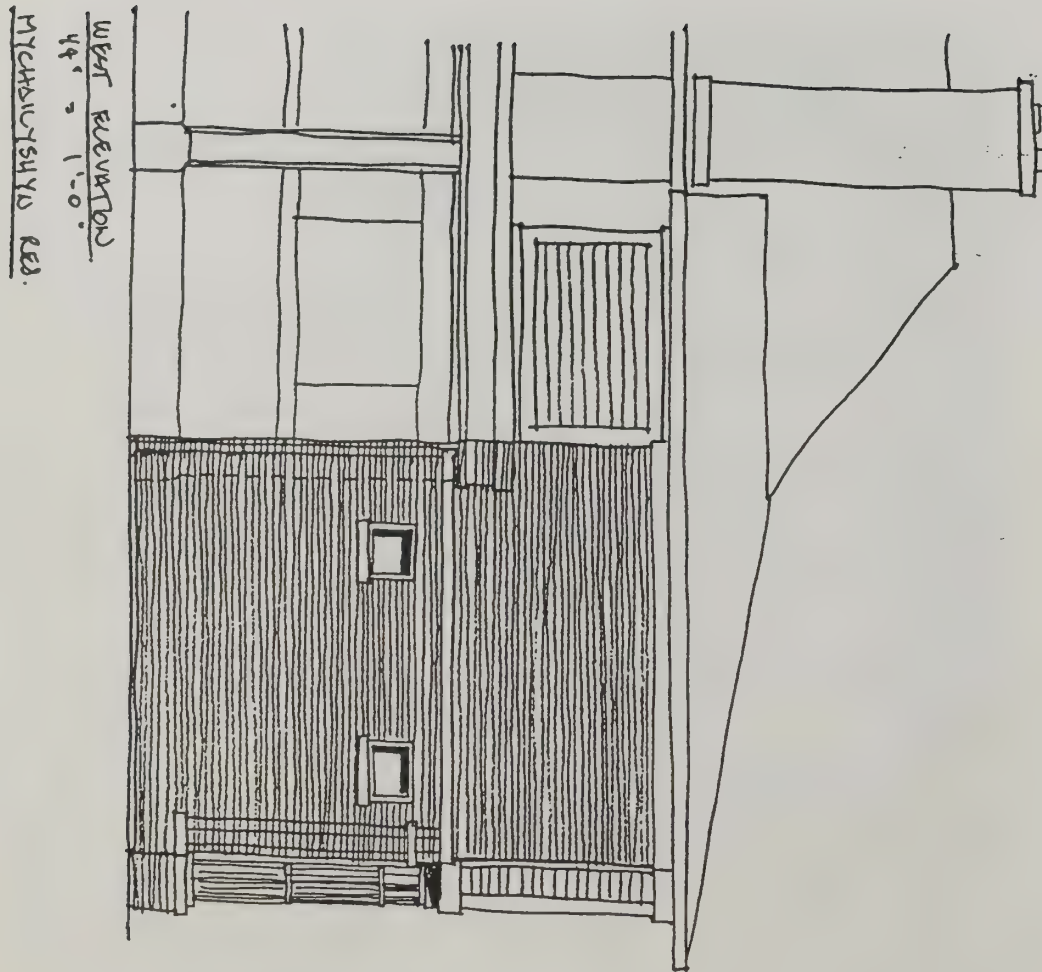
Appendix "I" referred
to in Section 10 of the
TWELFTH Report of the
Planning & Development
Committee for 1999



MYCATALYSTHVN RES.

SOUTH ELEVATION
1/4" = 1'-0"

May 25, 1999



ZONES WITHIN THE LANDS OF THE HARBOUR OF HAMILTON

HAMILTON HARBOUR
LAND USE AND DEVELOPMENT

Légende

- [Symbol] HARBOR OPERATIONS (P2-6)
- [Symbol] HARBOR INDUSTRIAL OPERATIONS (P2-8)
- [Symbol] HARBOR OPERATIONS OR INDUSTRIAL OPERATIONS (P2-9)
- [Symbol] HARBOR SERVICE COMMERCIAL (P2-3)
- [Symbol] HARBOR NAVIGATION (P2-4)

Légende

- [Symbol] OPÉRATIONS PORTUAIRES (P2-6)
- [Symbol] OPÉRATIONS INDUSTRIELLES (P2-8)
- [Symbol] OPÉRATIONS PORTUAIRES OU OPÉRATIONS INDUSTRIELLES (P2-9)
- [Symbol] SERVICE PORTUAIRE COMMERCIAL (P2-3)
- [Symbol] NAVIGATION PORTUAIRE (P2-4)

The map illustrates the geographical layout of Hamilton Harbour, bordered by Lake Ontario to the north and west. Key features include the City of Hamilton to the east, Burlington to the southwest, and the Queen Elizabeth Way running along the northern shore. Major roads such as Highway 403 and Highway 402 are clearly marked. The harbor area is divided into several zones, each designated for specific land uses or operations as defined in the legend. The bilingual title at the top indicates the map's relevance to both English and French-speaking audiences.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TENTH** Report for 1999 and respectfully recommends:

1. Pension Funds: Implementation of Elected Master Trust (INV99004)

- (a) That the General Manager of Finance be authorized and directed to execute agreements for the implementation of an asset merger of the assets of the Hamilton Municipal Retirement Fund, the Hamilton-Wentworth Retirement Fund and the Hamilton Street Railway Pension Fund to be structured as an Elected Master Trust, subject to the terms and conditions being acceptable to the General Manager of Finance, the investment consultant to all three plans (James P. Marshall), and the Trustee and Custodian of the three retirement funds, in a form satisfactory to Corporate Counsel; and,
- (b) That all assets presently held in either of the three pension funds together with the investment managers thereof at the time of initiating the Elected Master Trust be approved for all three City/Region Pension Funds listed above; and,
- (c) That for the purpose of the asset merger the General Manager of Finance be authorized and directed to determine the value of non-publicly traded investments held by any of the three plans as at the date of the implementation of the Master Trust, using an approach developed by Finance and deemed reasonable for both the Corporation of the City of Hamilton and by The Regional Municipality of Hamilton-Wentworth as plan sponsors. The calculation would be reviewed by the Internal Auditor.
- (d) That all fees incurred in implementing, and maintaining this structure be approved for payment by the pension funds.

2. Mobile Service for Safety Footwear – Various Departments (FIN99036)

That a purchase order be issued to Emille Shoes, Burlington, to supply and deliver various safety footwear by mobile unit to various locations for a period of one (1) 12-month term with option in favour of the City to renew for two (2) 12-month terms, being the lowest of 2 acceptable tenders received, in accordance with a Request for Tender, issued by the

Purchasing Division and Vendors Tenders, and be financed through various approved accounts.

3. Replacement of Four (4) Salt and Sand Spreaders with All Season Radius Dump Bodies and Front Two-Way Plows Units 9633, 9650, 9666 and 9684, Fleet Services

That a purchase order be issued to Hamilton Truck Service, Hamilton in the amount of \$741,060.00 including all applicable taxes, for the replacement of four (4) Salt and Sand Spreaders with All Season Radius Dump Bodies and Front Two-Way plows for Fleet Services, being the lowest total acquisition cost meeting specifications of three tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5532 649851037.

4. **Replacement of Various Trucks Units 9053, 9333, 1309, 0062, 9395, 1437, 9236 and 9367, Fleet Services**

That a purchase order be issued to Forbes Ford, Grimsby, in the amount of \$338,811.85 including all applicable taxes for the replacement of one (1) Conventional Cab and Chassis with Stake Dump, one (1) Conventional Cab and Chassis with Steel Dump, three (3) Crew Cabs with Stake Dumps, one (1) Crew Cab with Aluminum Dump, one Extended Cab with Stake Body and one Cargo/Window Van for Fleet Services, being the lowest total acquisition cost meeting specifications of five tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5535 649851037, CF5530 649851037 and CF5534 649851037.

5. **Replacement of Various Lawn Maintenance Equipment Units 0593, 0594, 0595, 0056 and 0076, Fleet Services**

That a purchase order be issued to Turf Care Products Canada, Ltd. Newmarket, in the amount of \$167,550.40 including all applicable taxes and trade-in, for the replacement of three (3) Five-Plex Fairway Mowers, one (1) Triplex Greensmower and one (1) Three Wheel Drive Triplex Mower for Fleet Services, being the lowest total acquisition cost meeting specifications of three tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5535 649851037.

6. 1999 Winter Control Forecast

That the City of Hamilton projected budgetary shortfall for Winter Control estimated to be \$2.2 million be funded in order of available funds as follows:

- (a) from within Public Works/Traffic Surplus;
- (b) from within Corporate surplus;
- (c) from the Reserve for Tax Stabilization

7. Supply and Delivery of Aggregates for 1999-2000; Tender Reference C-12-4-99

That purchase orders be issued for the supply and delivery of aggregates for various City departments as and when required during 1999-2000 for a 12 month term in accordance with specifications issued by Purchasing, and vendor's tenders, to those suppliers as herein listed and to be financed through various approved accounts.

<u>Supplier</u>	<u>Material</u>	<u>Unit Price Tractor Trailer</u>	<u>Unit Price Tri-Axle Tandem</u>
Philip Enterprises	Granular "A"	\$ 8.25	\$ 8.25
Cayuga Materials	Granular "A"	7.70	8.70
Philip Enterprises	19mm Clear	8.25	8.25
La Farge Construction	9.5mm chips washed	9.74	10.24
Philip Enterprises	53 mm Clear	9.25	9.25
La Farge Construction	#8 Dust Suppressed	32.80	33.50
Philip Enterprises	19mm Crusher run	8.25	8.25
Cayuga Materials	19mm Crusher run	7.70	8.70
Cayuga Materials	53 mm Crusher run	7.70	
Waterford Sand	Rubble Stone	11.25	11.25
Waterford Sand	75-200 Gabion Stone	11.00	11.00
La Farge Construction	9.5mm screenings	7.94	8.44
La Farge Construction	Athlete Field Lime	15.94	
Flamboro Quarries			16.35

Note: all prices are on a per tonne basis. G.S.T and P.S.T. extra where applicable.

8. 1999 Summer Meeting Schedule

- (a) That during the period of July to September, 1999, City Council meet as Committee of the Whole in two-half day sessions to consider all Standing Committee business followed by the formal City Council Meetings on the dates indicated below:
 - (i) Tuesday, July 6, 1999 – 1:00 p.m. to 4:00 p.m., Council Chambers
 - (ii) Tuesday, September 7, 1999 – 1:00 p.m. to 4:00 p.m., Council Chambers;
- (b) That the regular Standing Committee and Council meetings scheduled during the months of July and August, be cancelled with the exception of a special Planning and Development Committee meeting tentatively scheduled to meet on Wednesday, August 11, 1999 at 9:30 a.m. to be immediately followed by a City Council meeting;
- (c) That notwithstanding the City of Hamilton Procedural By-law which provides for a minimum of 24 hours notice for a special City Council Meeting, that the Municipal Clerk be directed to provide a minimum of 72 hours notice if a Special City Council Meeting is required during the period between July 7th and September 3rd in order to permit Members of City Council sufficient time to return to the City of Hamilton for any special Meetings if they are out of town.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1.

CARRIED.

9. Civic Reception – Annual Conference of The Barbadian Association of Canada – Friday, May 21, 1999

That the City of Hamilton provide funding up to an amount of \$1,500 to host a civic reception on Friday, May 21, 1999 for the delegates to the Annual Conference of The Barbadian Association of Canada to be charged to the Special Receptions/Dignitaries Hosting Account No. CH54314-84010.

10. Reception – 61st Annual Guide-Scout Parade – Saturday, May 29, 1999

- (a) That the City of Hamilton provide funding up to an amount of \$1,000 to host a reception at City Hall following the 61st Annual Guide-Scout Parade on Saturday, May 29, 1999; and,
- (b) That funding for this event be charged to the Receptions – City Hall Account CH55313-84010.

11. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-15 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN D. WILSON
CHAIRMAN
FINANCE AND ADMINISTRATION
COMMITTEE**

Susan K. Reeder
Secretary
May 18, 1999

May 25, 1999

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

The Nominating Committee presents its **THIRD** Report for 1999 and respectfully recommends:

1. **Appointment of the Chairman of the Committee of the Whole**

That Alderman R. Corsini be appointed Chairman of the Committee of the Whole for the months of June, July and August, 1999.

Respectfully Submitted,

**Mayor R. M. Morrow, Chairman
Nominating Committee**

**M. Rallo, Acting Secretary
May 25, 1999**

CAY ON HBL AOS
M21
1999

June 15, 1999

**URBAN
MUNICIPAL**

Minutes of the Special Meeting of City Council
Tuesday, June 15, 1999
5:45 o'clock p.m.
Council Chambers, City Hall

URBAN MUNICIPAL

JUL 2 1999

GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor R. M. Morrow, Chairman.
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli, D. Haining,
D. Wilson, G. Copps, C. Collins, F. Eisenberger, T. Jackson, B. Charters,
T. Anderson, B. Kelly, F. D'Amico.

Absent: Alderman D. O'Sullivan – Other Business

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the Report of the Parks and Recreation Committee with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining,
Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly,
D'Amico. –16

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE – SEVENTH REPORT

Ivor Wynne Stadium – Concerts

It was moved by Alderman Eisenberger and seconded by Alderman D'Amico that Section 1 of the Seventh Report of the Parks and Recreation Committee for 1999 be amended by adding the following in Sub-section b) following the words "fundraising concert";
"with contemporary adult music" **CARRIED.**

Section 1 Re: Ivor Wynne Stadium – Concert

Recorded vote on Section 1 as amended.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Collins, Eisenberger,
Anderson, Kelly, D'Amico. –9.

NAYS: Aldermen Kiss, Morelli, Haining, Copps, Wilson, Charters, Jackson. -7. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Parks and Recreation Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico. -16.

NAYS: -0.

CARRIED.

City Council then adjourned at 7:20 o'clock p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

J. J. Schatz, Municipal Clerk
June 15, 1999
JJS/dg

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SEVENTH** Report for 1999 and respectfully recommends:

1. Ivor Wynne Stadium Concert- Morgan Firestone Foundation & September Seventh Entertainment Limited

- a) That the City Council's decision of May 10, 1999 to permit the use of Bayfront Park for a fund-raising concert organized by the Morgan Firestone Foundation and September Seventh Entertainment Limited be rescinded; and
- b) That City Council on a one time basis set aside and permit the site specific prohibition of concerts to the Morgan Firestone Foundation et al. to use Ivor Wynne Stadium for a fundraising concert with contemporary adult music; and, **AMENDED.**
- c) That the General Manager, Community Services be authorized to negotiate a contract and rental rate in a form satisfactory to the Director of Legal Services and Corporate Counsel; and,
- d) That the General Manager, Community Services be directed to report back to the Parks and Recreation Committee on the impact of the Concert.

Recorded vote on Section 1 as amended.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Collins, Eisenberger, Anderson, Kelly, D'Amico. -9.

NAYS: Aldermen Kiss, Morelli, Haining, Copps, Wilson, Charters, Jackson. -7. **CARRIED.**

2. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

- B-1 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted,

**ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

**Tina Agnello
Secretary
June 2, 1999**

June 28, 1999

CAY ON HBL 195
M21
1999

Minutes of the Special Meeting of City Council
Monday, June 28, 1999
6:00 o'clock p.m.
Council Chambers, City Hall

URBAN MUNICIPAL

JUL 8 1999

The Council met:

INTERMENT DOCUMENTS

Present: Mayor R. M. Morrow, Chairman.
Aldermen M. Caplan, A. Horwath, R. Corsini, B. Morelli, D. Haining,
D. Wilson, G. Copps, C. Collins, F. Eisenberger, T. Jackson, B. Charters,
T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan.

Absent: Alderman M. Kiss – Other Business

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Charters and seconded by Alderman Horwath that Council move into Committee of the Whole to consider the Report of the Finance and Administration Committee with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining,
Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly,
D'Amico, O'Sullivan. –16.

NAYS: -0.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE – TWELFTH REPORT Hamilton Fire Department – Three Year Business Plan

Section 1 Re: Fire Chief – Explore Service Affiliation Agreements with Bordering Municipalities

It was moved by Alderman Eisenberger and seconded by Alderman O'Sullivan that the following be added as Sub-section (j) to Section 1 of the Twelfth Report for 1999 of the Finance and Administration Committee:

- (j) That direction be given to the Fire Chief to explore service affiliation agreements with all bordering municipalities to improve overall services and to deal with the Ward Five and Ward Eight comparable service deficiencies and report back to the City's Finance and Administration Committee.

CARRIED.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Copps. -1.

CARRIED.

Recorded vote on Section 1 as amended.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Aldermen Copps, Collins. -2.

CARRIED.

Section 2 Re: Sources of Funding – Fire Department Business Plan

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Aldermen Copps, Collins. -2.

CARRIED.

It was moved by Alderman Charters and seconded by Alderman Horwath that the Report of the Committee of the Whole on the Report of the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

June 28, 1999

City Council then adjourned at 6:10 o'clock p.m.

Taken as read and approved.

MAYOR R. M. MORROW
CHAIRMAN

J. J. Schatz, Municipal Clerk
June 28, 1999
JJS/dg

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWELFTH** Report for 1999 and respectfully recommends:

1. **Business Plan – Hamilton Fire Department – Request for Authority to Implement**
 - a) That the Business Plan for the reorganization of the Hamilton Fire Department be approved for immediate implementation; and,
 - b) That the General Manager, Corporate Services Division be authorized and directed to proceed with acquisition of a preferred site for the new West Hamilton Fire Station #10 and with the disposal of the current Station #10 – 1455 Main Street West and Station #11 – 24 Ray Street in accordance with the City's Real Property Sales Procedural By-law No. 95-049; and,
 - c) That the performance standards as established in the Dillon Consulting Associates Report and outlined in the Business Plan be adopted by the Department; and,
 - d) That the General Manager, Community Services be authorized to proceed with the tendering of construction of Station #9 – 125 Kenilworth Avenue North on a design-build basis at an upset cost of \$2,000,000; Station #10 – West Hamilton, contingent upon property acquisition of land costs and risk management works in eight fire stations at an upset limit of \$900,000; and,
 - e) That the retrofit and acquisition of fire vehicles identified in the Business Plan be authorized at an estimated cost of \$1.4 million; and,
 - f) That the Regional Municipality of Hamilton-Wentworth be requested to reopen Limeridge Road East between Upper Ottawa Street and Upper Gage Avenue for emergency vehicle use only in order to enhance response times from Station 5; and,
 - g) That the Finance and Administration Committee be requested to identify sources of funding for capital building works totaling \$4.65M; for equipment retrofits totaling \$600,000; and for land acquisition at a cost to be determined, said gross costs to be netted against proceeds of sale of surplus lands and equipment as described in the plan; and,

- h) That the Finance and Administration Committee be requested to identify sources of funding for the long-term vehicle and equipment replacement needs; and,
- i) That an Executive Summary of the Business Plan be released for public viewing by interested parties.
- (j) That direction be given to the Fire Chief to explore service affiliation agreements with all bordering municipalities to improve overall services and to deal with the Ward Five and Ward Eight comparable service deficiencies and report back to the City's Finance and Administration Committee. **ADDED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Copps. -1. **CARRIED.**

Recorded vote on Section 1 as amended.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Aldermen Copps, Collins. -2. **CARRIED.**

2. Sources of Funding – Fire Department Business Plan

- a) That the 1999 City of Hamilton Capital Budget be amended to include the \$4,650,000 in capital works as identified in Schedule 'A' attached ; and
- b) That these capital works be funded through the Issuance of external debentures; and that Corporate Counsel be authorized to prepare the appropriate by-laws; and that the Regional Municipality of Hamilton-Wentworth be requested to consent to the issuance of debentures for a term not to exceed 15 years; and
- c) That the 1999-2008 City of Hamilton Capital Budget be amended to include the fleet management costs as included in Schedule 'B' and that these costs be funded from the 'Motorized Vehicle Reserve' (0101); and

- d) That Reserve 0103 titled 'Major Repairs to Mobile Equipment' be renamed 'Vehicle and Equipment Repairs and Replacement' and that the Fire Department's portion of this reserve be permitted to fund the replacement of Fire Department equipment; and
- e) That the 1999-2008 City of Hamilton Capital Budget be amended to include the equipment costs as included in Schedule 'C' and that these costs be funded from the 'Vehicle and Equipment Repairs and Replacement Reserve' (0103); and
- f) That the amount of \$200,000 for Building Maintenance costs and a provision for the 'Vehicle and Equipment Repairs and Replacement Reserve' (0103) in the amount of \$150,000 both be considered in the 2000 Current Budget to be offset by operational savings as identified in the Fire Department's Business Plan.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Aldermen Copps, Collins. -2.

CARRIED.

3. Bill

Bill D-16 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN D. WILSON
CHAIRMAN
FINANCE AND ADMINISTRATION
COMMITTEE**

**Susan K. Reeder
Secretary
June 28, 1999**

City of Hamilton - Fire Department Business Plan - Financial Analysis

APPENDIX "A" as referred to in
Section 2(a) of the Twelfth Report
of the Finance and Administration Comm.
for 1999.

Capital Requirements - Fire Stations

	<u>2000</u>	<u>2001</u>
New Station #9 - Design and Construction	2,000	
New Station #10 - Design and Construction	1,750	
Station #1 - Renovations and Refurbishment	500	
Diesel Fume Removal	250	
Furnishings and Workstations	<u>150</u>	
External Borrowings Required :		
	\$4,650	
External Debt Charge (5.75%/15 Years)		\$471

City of Hamilton - Fire Department
Business Plan - Financial Analysis

APPENDIX "B" as referred to in
Section 2(c) of the Twelfth Report
of the Finance and Administration Comm.
for 1999.

Vehicle Reserve - Fire Department

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Opening Balance	\$1,766	\$545	\$86	\$611	\$678	\$267	\$237	\$514	\$489	\$1,086
Interest Earned (5%)	26	4	29	32	13	11	24	23	52	34
Annual Contribution	673	673	673	673	673	673	673	673	673	673
Internal Reserve Transfer	1,000	(100)	(100)	(100)	(100)	(100)	(100)	(100)	(100)	(100)
1999 Appropriations	(\$2,479)	0	0	0	0	0	0	0	0	0
Fleet Replacement (per 1999-2008 Capital Budget)	(141)	(326)	(76)	(538)	(997)	(614)	(320)	(620)	(28)	(980)
Additional Vehicle Requirements:										
Pump Conversions (6)	(\$150)	(\$150)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Aerial Conversions (2)	(150)	(150)	0	0	0	0	0	0	0	0
Replacement Vehicle	0	(800)	0	0	0	0	0	0	0	0
Add: Sale of Old Vehicles	0	390	0	0	0	0	0	0	0	0
Closing Balance	\$545	\$86	\$611	\$678	\$267	\$237	\$514	\$489	\$1,086	\$712

Equipment Reserve - Fire Department

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Opening Balance	\$682	\$1,091	\$769	\$532	\$265	\$209	\$415	\$574	\$537	\$435
Interest Earned (5%)	52	37	25	13	10	20	27	26	21	16
Annual Contribution	157	307	307	307	307	307	307	307	307	307
Internal Reserve Transfer	200	(20)	(20)	(20)	(20)	(20)	(20)	(20)	(20)	(20)
Protective Clothing	0	(200)	(200)	(200)	(200)	0	0	(200)	(200)	(200)
Breathing Apparatus	0	0	(200)	(216)	0	0	0	0	0	0
Defibrillators	0	0	(50)	(50)	(54)	0	0	(50)	(50)	(54)
Multi-Gas Detectors	0	(56)	0	0	0	0	(56)	0	0	0
Hydraulics	0	(90)	0	0	0	0	0	0	(60)	(45)
Ancillary Eqp.	0	(50)	(50)	(50)	(50)	(50)	(50)	(50)	(50)	(50)
Hazardous Materials	0	(50)	(50)	(50)	(50)	(50)	(50)	(50)	(50)	(50)
Closing Balance	\$1,091	\$769	\$532	\$265	\$209	\$415	\$574	\$537	\$435	\$339

APPENDIX "C" as referred to in
Section 2(e) of the Twelfth Report
of the Finance and Administration Comm.
for 1999.

CAY ON HBL AOS

M21

1999

Minutes of Hamilton City Council
Tuesday, June 29, 1999
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

JUL 8 1999

GOVERNMENT DOCUMENTS

The Council met:

There were present:

Mayor R. Morrow, Chairman
Aldermen M. Caplan, A. Horwath, R. Corsini,
B. Morelli, D. Haining, D. Wilson, G. Copps,
C. Collins, T. Jackson, B. Charters,
T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan.

Absent:

Alderman M. Kiss – Personal Business
Alderman F. Eisenberger – Vacation

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Reverend Wayne Irwin, Centenary United Church led Council in prayer.

PRESENTATIONS

Mayor R. Morrow recognized Biddizzi Sali e Surfaru, Italian Delegation from Racalmuto.

Mayor R. Morrow presented Certificates of Recognition to the 424 Transport and Rescue Squadron. In attendance were:

Commanding Officer, Lieutenant-Colonel Peter McKeage
Commanding Officer, Wing Commander (Retired) Robert W. Norris

Commanding Officer, Lieutenant-Colonel Peter McKeage made a presentation to Mayor R. M. Morrow on behalf of the City of Hamilton

Mayor R. M. Morrow presented a Certificate of Recognition to Dale Marshall, Manager of the Adult Day Program and Janis North of the Hamilton-Wentworth Branch of the Victorian Order of Nurses. Susan Robinson, President of the VON, Hamilton presented Mayor Morrow with a book on the history of the Victorian Order of Nurses.

June 29, 1999

Mayor R. M. Morrow presented a Certificate of Recognition Athletes of the 1999 International Children's Games.

**City Rep's
ICG Millenium
Festival Reps**

Bernie Morelli, Ross Fair
Dr. Gene Sutton, Cathie Miller
Greg Maychak
John Kiriakopoulos
Joanne Anderson, Bill Urie

Chaperones

Track and Field

**Coach
Athletes**

Richard Gelder
Rachel Taylor, Jessie Gillie, Laura Moulton, Brent
Schmidt, Julien Youngblud, Adam Neale,
Aubrey Fawcett

**Girls Basketball
(Bronze Medalists)**

**Coach
Athletes**

Theresa Burns
Natalie Downey, Jessi Tomasin,
Jessica Lamparski, Tara Boyce,
Shauna Eisenberg, Justine Panavas,
Katelyn MacFarlane

**Boys Basketball
(Gold Medalists)**

**Coach
Athletes**

Joe Raso
Andrew Zorko, Dejan Grkovic, Merwin Quinto,
Kevin Condron, Mark Valvasori,
Kbre-Ab Hamilton, Ryan Walker

Mr. Stan Martin presented Mayor R. Morrow with copies of the two books that he authored.

ADOPTION OF MINUTES

The minutes of the meetings held May 25 1999 (regular) and June 15, 1999 (special) were adopted as circulated.

CORRESPONDENCE

1. Information Report dated June 14, 1999 from J. J. Schatz, Municipal Clerk respecting an objection to Zoning By-law 99-058 respecting 723 Rymal Road West, Hamilton.

Received.

2. Application dated June 9, 1999 from Chedoke Health Corp., for an Official Plan Amendment to redesignate the subject lands from "Residential" to "Institutional" and for a further modification to the established "DE-3" "H" Multiple Dwellings (Holding) District to permit a nursing home and to remove the "H" – Holding Symbol for property on Chedmac Drive west of Rice Avenue, Hamilton, Ontario.

Received.

3. Application dated June 2, 1999 from Carol Fazzari, 465 Bush Drive, Ancaster, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial, etc.) for 1359 Upper James Street, Hamilton, Ontario.

Received.

4. Application dated June 4, 1999 from Paul Silvestri, 120 King Street West, Suite 1000, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District for property at the north-west corner of Upper Wellington Street and Rymal Road East, Hamilton, Ontario.

Received.

June 29, 1999

5. Application dated May 31, 1999 from Hamilton Habitat for Humanity, 255 West Avenue North, Hamilton, Ontario for the Removal of the "H" Holding Provision and modification to the established "R-4" (Small Lot Single Family) District for lands located on the south side of Loconder Drive between Upper Gage and Queen Victoria Drive, Hamilton, Ontario.

Received.

6. Application dated June 18, 1999 from Hamilton-Burlington and District Real Estate Board, 505 York Boulevard, Hamilton, Ontario for a change in zoning from "L-mr-2" (Planned Development – Multiple Residential) District Modified to "G-3" (Public Parking Lots) District (Block "1" and "L-mr-2" (Planned Development – Multiple Residential) District to "G-3" (Public Parking Lots) District (Block "2") for 39-41 Devonport Street, Hamilton, Ontario.

Received.

7. Application dated June 25, 1999 from John Bear Pontiac, Buick, Cadillac Ltd., 1200 Upper James Street for a further modification to the "G-3" (Public Parking Lots) District modified for 1200 Upper James Street, Hamilton, Ontario.

Received.

8. Application dated June 25, 1999 from Skinder Shelly Sohal, 3 Ambridge Court, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified for 844 Upper Wentworth Street, Hamilton, Ontario.

Received.

9. Letter dated June 28, 1999 from Pamela J. Minns, Secretary, Treasurer, Niagara Regional L.A.C.A.C. re: Auchmar - 88 Fennell Avenue West, Hamilton, Ontario.

Received.

10. Letter dated June 22, 1999 from Jan Griffioen, President, Hamilton-Wentworth Federation of Agriculture re: Hamilton Farmers Market.

Referred to the Finance and Administration Committee

June 29, 1999

It was moved by Alderman Caplan and seconded by Alderman Horwath that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the City of Hamilton Licensing Committee, be considered in Committee of the Whole with Alderman Corsini in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – SIXTH REPORT

Section 1 Re: Glenfern Avenue and Amelia Street

Alderman Caplan declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Caplan's wife owns property adjacent to the subject matter.

Section 17 Re: Mountable Curb Replacement Program

It was moved by Alderman Wilson and seconded by Alderman Caplan that section 17 of the Sixth Report of the Transport and Environment Committee be amended by deleting sub-section (b) and referring it to the Committee of the Whole\City Council meeting scheduled for July 6, 1999.

CARRIED.

PARKS AND RECREATION COMMITTEE – EIGHTH REPORT

Section 4 Re: Sale of Alcohol – Globe Park - Cancer Centre Fundraising

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Alderman Jackson -1.

CARRIED.

June 29, 1999

Section 5 Re: Alcohol in Parks – Mohawk Sports Park – Hamilton Hornets

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –14.

NAYS: Alderman Jackson -1.

CARRIED.

Section 7 Re: Municipal Alcohol Risk Management Policy

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –14.

NAYS: Alderman Jackson -1.

CARRIED.

Section 8 Re: Cart Services on Golf Course

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –14.

NAYS: Alderman Jackson -1.

CARRIED.

Section 9 Re: Multi Pad Arena\Sports Complex

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –14.

NAYS: Alderman Copps -1.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – THIRTEENTH REPORT

Section 2 Re: ZAC-99-10, West of James Street and South of the C.N. Railway

It was moved by Alderman D'Amico and seconded by Alderman Copps that Section 2 of the Thirteenth Report for 1999 of the Planning and Development Committee respecting ZAC-99-10, west of James Street and south of the C.N. Railway be amended by inserting the following as sub-section (c), and re-numbering the sub-sections thereafter accordingly:

(c) That the "G-3" (Public Parking Lots) District regulations, as contained in Section 14, of Zoning By-law No. 6593, applicable to Blocks "1" and "2", as referred to in Sections (i) and (ii) be modified to include the following variances as special requirements:

- (1) A 1.83 metre high chain link fence shall be provided and maintained along any lot line abutting a railway right-of-way; **CARRIED.**

Section 8 Re: Intent to designate a portion of Auchmar

Recorded vote.

YEAS: Mayor Morrow, Aldermen Horwath, Copps, Charters. —4.

NAYS: Alderman Caplan, Corsini, Morelli, Haining, Wilson, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. —11. **LOST.**

Section 9 Re: Intent to Designate a portion of Auchmar

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Anderson, Kelly, D'Amico, O'Sullivan. —14.

NAYS: Alderman Charters -1. **CARRIED.**

June 29, 1999

Section 18 Re: Request for Revised Draft Plan of Condominium -- 400 York

Alderman Caplan declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Caplan's wife may have an interest in this property.

**Section 26 (a) (i) (1) Re: Lister Block/Federal Government Services
Building Application to the Tax Incentive Program**

It was moved by Alderman D'Amico and seconded by Mayor Morrow that Subsection (a)(i)(1) of Section 26 of the Thirteenth Report for 1999 of the Planning and Development Committee respecting the Lister Block Application to the Tax Incentive Program be amended by replacing the annual sum of \$150,000 to \$200,000.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Alderman Copps -1.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – FOURTEENTH REPORT

FINANCE AND ADMINISTRATION COMMITTEE – ELEVENTH REPORT

CITY OF HAMILTON LICENSING COMMITTEE – FIFTH REPORT

Section 5 Re: Tow Truck Driver Licence – Michael Horvath

Recorded vote.

YEAS: Mayor Morrow, Aldermen Corsini, Haining, Wilson, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -10.

NAYS: Aldermen Caplan, Horwath, Copps, D'Amico. -4.

CARRIED.

June 29, 1999

**ACTING MAYOR FOR THE MONTHS OF
JULY, AUGUST AND SEPTEMBER, 1999**

It was moved by Alderman Caplan and seconded by Alderman Horwath that Alderman R. Corsini be appointed Acting Mayor for the month of July, 1999.

CARRIED.

It was moved by Alderman Caplan and seconded by Alderman Horwath that Alderman B. Morelli be appointed Acting Mayor for the month of August, 1999.

CARRIED.

It was moved by Alderman Caplan and seconded by Alderman Horwath that Alderman D. Haining be appointed Acting Mayor for the month of September, 1999.

CARRIED.

* * * * *

It was moved by Alderman Caplan and seconded by Alderman Horwath that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Haining, Copps, Wilson, Collins, Charters, Jackson, Kelly, D'Amico, O'Sullivan. -13.

NAYS: -0.

CARRIED.

City Council then adjourned at 10:00 o'clock p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
June 29, 1999
JJS\dg**

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **SIXTH** Report for 1999 and respectfully recommends:

1. To stop-up and sell the alley on Registered Plan 272, lying between Glenfern Avenue and Amelia Street. To sell a portion of closed alley on Registered Plan 275, lying between Lots 34 and 35 (TOE99003)

(a) That the by-law:

- (i) To stop-up and sell the alley on Registered Plan 272 lying between Glenfern Avenue and Amelia Street, designated as Parts 1 to 9, 14 and 15, on Plan 62R-14134; and,
- (ii) To sell a portion of the closed alley on Registered Plan 275, lying between Lots 34 and 35, designated as Part 11, on Plan 62R-14134

to the abutting owners, be prepared to the satisfaction of the Corporate Counsel and enacted by Council; and,

(b) That the General Manager of Transportation, Operations and Environment, be authorized and directed to register the by-law at the Land Registry Office.

2. To stop-up and sell the public walkway lying between Forestgate Drive and Wendover Drive (TOE99006)

- (a) That the by-law to stop-up and sell the public walkway lying between Forestgate Drive and Wendover Drive, designated as Block B, on Plan M-127, to the abutting owners, be prepared to the satisfaction of the Corporate Counsel and enacted by Council; and,
- (b) That the General Manager of Transportation, Operations and Environment, be authorized and directed to register the by-law at the Land Registry Office.

3. Proposed Closure of a Portion of Limeridge Road East, west of Upper Ottawa Street (PWT99009)

- (a) That the by-law to alter Limeridge Road East, from Upper Ottawa Street to approximately 32 metres westerly, by narrowing the roadway from the existing width of 19 metres to a road width of 5.4 metres and closing the road to westbound traffic, be passed and enacted; and,
- (b) That the closure be implemented on a six-month trial basis, commencing not before August 1, 1999, and that the implementation of the barriers be delayed pending the opening of the Mud Street extension.

**4. Routine Amendments to the City Traffic By-law 89-72
Transport and Environment Committee Meeting – June 21, 1999
(PWT99007)**

That the routine amendments listed in Appendix "A" attached hereto be approved and that an appropriate by-law to amend the City Traffic By-law 89-72 be passed and enacted.

**5. West 3rd Street, between Monarch Road and Wembley Road
(PWT99010)**

- (a) That the existing "Permit Parking" regulation on the west side and "No Parking" regulation on the east side of West 3rd Street between Monarch Road and Wembley Road be replaced with a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation in conjunction with an "Alternate Side Parking" regulation such that parking is prohibited:
 - (i) on the east side of the street during the months of December, January, February and March and from the 1st to the 15th day of April, May, June, July, August, September, October and November; and,
 - (ii) on the west side of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and,
- (b) That the City Traffic By-law 89-72 be amended accordingly.

6. **To incorporate certain City land into various streets by By-laws (TOE99005)**

- (a) That the following City land be incorporated into the following streets:

Distin Drive	Block 46	Plan 62M-848
Sundown Drive	Block 99	Plan 62M-475; and,

- (b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the Corporate Counsel and be enacted by Council; and,
- (c) That the General Manager of Transportation, Operations and Environment be authorized and directed to register the by-laws.

7. **Hamilton Hydro Electric System – Installation of Above Ground Pad Mounted Transformers (TOE99001)**

That the installation of above ground pad mounted transformers be permitted in all new subdivisions, and certain commercial/industrial and existing residential development, subject to approval by the General Manager of Transportation, Operations and Environment.

8. **Temporary Road Closure: King William Street (TOE99007)**

That the application of the Downtown Hamilton B.I.A. to temporarily close King William Street between James Street and Hughson Street on Thursday July 8, 1999 11:00 p.m. to Sunday July 11, 1999 at 11:00 a.m., to hold the first annual King William Street Festival, be approved, subject to the following conditions:

- (a) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,
- (b) That the applicant provide proof of \$5,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,

- (d) That all barricading be supplied by and at the expense of the applicant; and,
- (e) That "Temporary Road Closure" signs be installed, in advance, on the affected roadways, if deemed necessary by the General Manager of Transportation, Operations and Environment and at the expense of the applicant; and,
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and the Region and at the expense of the event organizer; and,
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
- (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant, prior to the event, in a form acceptable to the General Manager of Transportation, Operations and Environment; and,
- (i) That the applicant be granted an extension to the City of Hamilton Noise By-law 79-292 to continue the music until 12:00 midnight during the event, and that a City of Hamilton Noise By-law Officer be in attendance throughout the event, at the expense of the applicant.

9. **Temporary Road Closure for Special Events: Hess Street South, between King Street and Main Street (TOE99004)**

That the applications of the Hess Village Performing Arts Festival organization to close Hess Street South between King Street and Main Street on the following dates:

Tuesday July 13, 1999 at 10:00 a.m. to Monday July 19, 1999 at 12:00 noon, for the Hess Village Performing Arts Festival; and,

Friday July 23, 1999 at 10:00 a.m. to Monday July 26, 1999 12:00 noon, for Beach Volleyball; and,

Friday August 13, 1999 at 12:00 noon to Sunday August 15, 1999 at 12:00 midnight, for the Bud Rig Patio Olympics

be approved, subject to the following conditions:

- (a) (i) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,
- (ii) That the applicants provide proof of \$5,000,000 public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- (iii) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,
- (iv) That all barricading be supplied by and at the expense of the applicants; and,
- (v) That "Temporary Road Closure" signs be installed in advance by the Department of Public Works and Traffic, on the affected roadways, if deemed necessary by the General Manager, Transportation, Operations and Environment, at the expense of the applicants; and,
- (vi) That the applicants ensure that clean-up be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizers; and,
- (vii) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
- (viii) That all property owners and tenants along the closed portion of the road be notified of the event by the applicants prior to the event in a form acceptable to the General Manager, Transportation, Operations and Environment; and,
- (ix) That the applicants be granted an extension to the City of Hamilton Noise By-law 79-292 to continue the music until 12:00 midnight on Friday and Saturday nights only during the events, with the exception of the July 23 to July 26 1999

event, and that a City of Hamilton Noise By-law Officer be in attendance throughout all of the events, at the expense of the applicants; and,

- (b) That the Alcohol and Gaming Commission of Ontario be advised that the City of Hamilton is aware of the event being held July 13 to July 19, 1999 deems it to be an event of municipal significance and has no objection to the AGCO issuance of the appropriate special event liquor licence; and,
- (c) That the AGCO be advised that the City of Hamilton is aware of the application of the Lazy Flamingo for a temporary extension of its liquor licence for the Bud Rig Olympics, being held August 13 to August 15, 1999 and the City has no objection to the AGCO issuance of the appropriate liquor licence for this event.

10. **Temporary Road Closure: Y95.3's A Taste of Hamilton Event
Royal Bank Aquafest 1999 (TOE99010)**

That the applications of

- (i) A. Shinehoft agent for the Y93.3 A Taste of Hamilton Event to temporarily close:

- Bay Street between Barton Street and Guise Street
- Wood Street between Bay Street and James Street
- Macauley Street between Bay Street and James Street
- Picton Street between west of Bay Street to James Street
- Nichol Street between Picton Street to Ferrie Street
- Ferrie Street between west of Bay Street to James Street
- Simcoe between Bay Street and James Street
- MacNab Street between Barton Street and Guise Street
- Strachan Street between Bay Street and James Street
- Tiffany Street between Barton Street and Stuart Street
- Stuart Street between Bay Street and James Street
- Murray Street between Bay Street and James Street

from Thursday June 24, 1999 at 11:00 a.m. to Sunday June 27, 1999 at 11:00 p.m., to hold the Y95.3 A Taste of Hamilton Event; and;

- (ii) A. Bradford, agent for the Royal Bank Aquafest Event to temporarily close;
 - Bay Street between Barton Street and Guise Street

- Wood Street between Bay Street and James Street
- Macauley Street between Bay Street and James Street
- Picton Street between west of Bay Street to James Street
- Nichol Street between Picton Street to Ferrie Street
- Ferrie Street between west of Bay Street to James Street
- Simcoe between Bay Street and James Street
- MacNab Street between Barton Street and Guise Street
- Strachan Street between Bay Street and James Street
- Stuart Street between Bay Street and James Street
- Murray Street between Bay Street and James Street

on Thursday July 22, 1999 at 11:00 a.m. to Sunday July 25, 1999 at 11:00 p.m., to hold the Royal Bank Aquafest 1999

both be approved, subject to the following conditions:

- (aa) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,
- (bb) That the applicants provide proof of \$5,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- (cc) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,
- (dd) That all barricading be supplied by and at the expense of the applicant; and,
- (ee) That "Temporary Road Closure" signs be installed, in advance, on the affected roadways, if deemed necessary by the General Manager of Transportation, Operations and Environment and at the expense of the applicant; and,
- (ff) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and the Region and at the expense of the event organizer; and,
- (gg) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

- (hh) That all property owners and tenants within the closure area of the route be notified of the event by the applicant, prior to the event, in a form acceptable to the General Manager of Transportation, Operations and Environment; and,
 - (ii) That a City of Hamilton Noise By-law Officer be in attendance throughout the events, at the expense of the applicant; and,
 - (jj) That Regional Police Service and By-law Enforcement/Parking Control Staff enforce permit parking (under Section 33a subsection 12, of the City Traffic By-law 89-72) on the aforementioned streets; and,
 - (kk) That the City Traffic By-law 89-72 be amended accordingly.
11. **Declaration of Surplus Properties – Public Walkway between 37 and 41 Glenvale Drive, Parts 1 and 2, Plan 62R-14911 (CS99007)**
- (a) That the public walkway lying between Lots 38 and 39 on Plan M-66 (37 and 41 Glenvale Drive respectively), designated as Parts 1 and 2, Plan 62R-14911 be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law 95-049; and,
 - (b) That Real Estate, Legal Services Section be authorized and directed to sell these properties in accordance with the Real Property Sales Procedural By-law 95-049.
12. **Declaration of Surplus Property – 25 Hunt Street, Hamilton (CS99006)**
- (a) That a vacant parcel of land known as 25 Hunt Street, Hamilton be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law 95-049; and,
 - (b) That Real Estate, Legal Services Section be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law 95-049.

13. **Municipal Car Parks in the vicinity of Barton Street and Sherman Avenue (PWT99006)**

That, in accordance with the Real Property Sales Procedural By-law 95-049:

- (a) the former Municipal Car Park 12B (90 Kinrade Avenue) be declared surplus to the requirements of the City of Hamilton; and,
- (b) the Real Estate Division be authorized and directed to sell this property.

14. **Cannon Street East and Sanford Avenue North – School Crossing Guard Request (PWT99008)**

- (a) That a School Crossing Guard be assigned to the intersection of Cannon Street East and Sanford Avenue North during the morning, lunch and evening school crossing periods; and,
- (b) That consideration be given in the 2000 Current Budget process for an expansion package of \$6,000 plus administrative costs for a School Crossing Guard at this location.

15. **Intersection of Mount Pleasant Drive and Templemead Drive – Intersection Control (PWT99013)**

- (a) That a three-way stop control at the intersection of Mount Pleasant Drive and Templemead Drive, be implemented; and,
- (b) That the City Traffic By-law 89-72 be amended accordingly.

16. **Recovery of Costs Associated with the Enforcement of the By-law 85-159 "Respecting Collectible Waste" (PWT99001)**

- (a) That as per By-law 85-159 "Respecting Collectible Waste" the Commissioner of Public Works and Traffic be authorized to pick up bulk garbage that has been placed at curbside with no prior arrangements being made through the Department of Public Works and Traffic; and,

- (b) That the Department of Public Works and Traffic recover any costs associated with this extra level of service from the abutting property owner through the municipal tax roll.

17. Mountable Curb Replacement Program (PWT99002)

- (a) That the Commissioner of Public Works and Traffic be authorized and directed to reinstate the program of "phasing in" the repairs of approaches with concrete in areas where there are the old standard mountable curbs on a complaint received basis; and,
- (b) That \$1 million be provided from available surpluses in the 1999 Capital Budget Programs required for sidewalk repairs and that \$200,000 be provided from the same source to eliminate the backlog of mountable curb replacements, or alternatively, from Capital Reserve Accounts.

DELETED AND REFERRED TO COMMITTEE OF THE WHOLE/CITY COUNCIL MEETING ON JULY 6, 1999.

18. 37 Kilbride Road – Mountain Transfer Station/470 Kenora Avenue – Kenora Transfer Station – Proposed Amendments to Certificate of Approval No. A130111 (Mountain) and No. A130110 (Kenora) for a Waste Disposal Site (Processing), Region of Hamilton-Wentworth (PDC99028)

- (a) That the West Central Branch of the Ontario Ministry of the Environment be advised that the City of Hamilton has no objection to the proposed Amendments to Certificate of Approval No. A130111 (Mountain Transfer Station) and No. A130110 (Kenora Transfer Station); and,
- (b) That a copy of this report be forwarded to the West Central Branch of the Ontario Ministry of the Environment for their consideration; and,
- (c) That a copy of this report be forwarded to the General Manager of Transportation, Operations and Environment for information.

19. Capital Budget Allocation for Landing Pads and Shelters (TRA99027)

That the Region's Transportation Services Committee be advised that transit shelters be installed at the following locations:

- (a) McMaster Service Road at Main Street Exit
- (b) Hunter Street West at Hess Street South
- (c) King Street East at Victoria
- (d) Woodward Avenue at Melvin Avenue
- (e) Greenhill Avenue at Tommar Place
- (f) Upper Ottawa Street at Mohawk Road East
- (g) Upper Sherman at Berko Avenue
- (h) Garth Street at Rymal Road West

20. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-23 Being a By-law to stop up, close and sell a portion of the alley on Registered Plan 272, lying between Glenfern Avenue and Amelia Street, designated as Parts 1 to 9, 14 and 15, on Plan 62R-14134.
- (b) A-24 Being a By-law to stop up, close and sell a portion of the public walkway designated as Block B, on Plan M-127, lying between Forestgate Drive and Wendover Drive.
- (c) A-25 Being a By-law to incorporate City land designated as Block 46, Plan 62M-848, into Distin Drive.
- (d) A-26 Being a By-law to incorporate City land designated as Block 99, Plan 62M-475, into Sundown Drive.
- (e) A-27 Being a By-law to amend By-law 89-72 to regulate traffic.
- (f) A-28 Being a By-law to amend By-law 89-72 to regulate traffic.
- (g) A-29 By-law to alter Limeridge Road East from Upper Ottawa Street to approximately 32m westerly and closing it to westbound traffic

Respectfully Submitted,

**ALDERMAN C. COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT
COMMITTEE**

Carolyn Biggs
Acting Secretary
June 21, 1999

1. Intersection Control

- (a) Alderman Frank D'Amico has advised of a request from Mrs. Lorette Gianetti, 798 Brigadoon Drive, for westbound stop control at the "T" type intersection of Appleblossom and Brigadoon. (Ward 8)
- (b) Alderman Terry Anderson has advised of a request from Greg Peitchinis, 487 Eaglewood Drive, for eastbound stop control at the "T" type intersection of Gagliano and Eaglewood. (Ward 7)
- (c) Staff has received a request from Anne North, Principal of Richard Beasley School, 80 Currie Street, for all-way stop control at the "T" type intersection of Currie and Larch. (Ward 6)
- (d) Staff has received a request from staff of the Regional Water Department for northbound stop control at the recently constructed "T" type intersection of Bow Valley and Highridge. (Ward 5)

2. Parking Regulations

- (a) Staff has identified a visibility problem caused by parked vehicles at the public walkway joining St. Vincent de Paul School and Golfwood, requiring the implementation of a "No Stopping, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation adjacent to Nos. 185, 189 and 193 Golfwood Drive. (Ward 8)
- (b) Jacqueline Bajus, Principal of Mother Theresa School, 1 Rexford Drive, has requested the implementation of a "No Stopping, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation adjacent to the school on the east side of Rexford, north of Atherley. (Ward 7)
- (c) Alderman Bernie Morelli has advised of a request from Dorothy Kolios, owner of Dunsmure Pain Clinic, 59 Dunsmure Road, that a "Two Hour Parking Time Limit, 24 Hours a Day, Monday to Saturday" regulation be implemented on the north side of Dunsmure, west of Sherman, adjacent to her business. (Ward 3)
- (d) Alderman Terry Anderson forwarded a petition signed by all five of the residents abutting Crerar between Rockview and the northerly end requesting that the existing "Alternate Side Parking" regulation be replaced with a "No Parking" regulation on the west side and

unrestricted parking on the east side of the street in this block. (Ward 7)

- (e) Len Varaso, on behalf of the Mountain Physiotherapy Clinic, 644 Concession Street, requested that the existing "No Stopping" regulation on the west side of East 25th, south of Concession, be reduced from 50 feet to 25 feet and that, to facilitate patient "drop-off", a "No Parking" regulation be implemented on the west side of the subject roadway, commencing 25 feet south of Concession and extending 25 feet southerly therefrom. (Ward 7)
- (f) George Preiner, owner of Preiner Tile Contracting Ltd., 321 Robert Street, has requested the implementation of a "No Stopping" driveway clearance on the north side of Robert, directly in front of his business. (Ward 3)
- (g) Staff has received a petition signed by all of the residents abutting Westbourne between Main and Sanders, requesting that the existing "Alternate Side Parking" regulation be removed to allow parking on both sides of the street in this block. Ten of the 11 residents supported repealing the subject regulation and one resident opposed the request. (Ward 1)
- (h) Andreas Kallergis, owner of Ellas Café, 199 Wilson Street, has submitted a petition signed by five of the seven abutting residents requesting the implementation of a full-time "One Hour Parking Time Limit" regulation on the east side of Cathcart between Wilson and Kelly. Four of the residents supported the requested regulation and one had "no opinion". (Ward 2)
- (i) Alderman Ron Corsini has advised of a request from Dennis Lupton, 465 Bay Street North, that the existing "No Parking" regulation on the west side of Bay, south of Burlington, be shortened to allow unrestricted parking in front of his home. (Ward 2)
- (j) The Principal of Glen Echo School has requested that the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" on the west side of Glen Echo be replaced with a "Taxi Stand, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation. (Ward 5)
- (k) Alderman Frank D'Amico has advised of a request from Sandy Upper, 126 Gateview Drive, representing Queensdale School Parent Council, to implement a "No Stopping, 8:00 a.m. to 5:00

p.m., Monday to Friday" regulation on the south side of Churchill, east of Prince George, adjacent to the school. (Ward 8)

- (l) Alderman Frank D'Amico has advised of a request from Sandy Upper, 126 Gateview Drive, representing Queensdale School Parent Council, to implement a "No Stopping, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the east side of Prince George, south of Churchill, adjacent to the school. (Ward 8)
- (m) Staff has received a petition signed by 20 of the 28 abutting residents requesting that the winter parking prohibition of the "Alternate Side Parking" regulation on the south side of Brucesdale between Sherwood Rise and High be switched to the north side. Eighteen of the residents support switching sides, one is opposed and one has no opinion. (Ward 6)

3. **Disabled Parking**

- (a) Carlos Olivera, 44 William Street, has requested that the existing full-time "Wheelchair Loading Zone" directly in front of his home be removed since he has widened his driveway and the space is no longer required. (Ward 3)
- (b) Ms. Anne Schirripa, 302 Catharine Street North, has requested the implementation of a full-time reserved "Permit Parking" regulation on the west side of Catharine, abutting the east side yard of 94 Murray Street East. Mr. S. Marrone, 94 Murray Street East, concurs with the request. (Ward 2)
- (c) Mr. Mark Shaler, 446 Charlton Avenue West, has requested the implementation of a full-time reserved "Permit Parking" regulation on the north side of Charlton, directly in front of his home since he is disabled. (Ward 1)
- (d) An area resident has requested the removal of the reserved "Permit Parking" regulation at 286 Paling Avenue as the resident has moved which staff has confirmed. (Ward 4)
- (e) Mrs. Linda Lee, 247 Glennie Avenue, has requested the implementation of a reserved "Permit Parking" regulation on the south side of Melvin, adjacent to her home since she is disabled. (Ward 4)
- (f) An area resident has requested the removal of the reserved "Permit Parking" regulation at 56 Fullerton Avenue as the resident has moved which staff has confirmed. (Ward 3)

- (g) Mr. Dion, 34 Strachan Street West, has advised that he is moving and does not require the reserved "Permit Parking" space approved by the City Council on April 27, 1999. The signs were never installed. (Ward 2)
- (h) Mrs. Mary Policelli, 70 Donnici Drive, has requested the implementation of a full-time "Wheelchair Loading Zone" directly in front of her home as her two children require the use of DARTS vehicles. (Ward 8)
- (i) Alderman Terry Anderson has advised that the reserved "Permit Parking" regulation on the north side of Inverness, adjacent to No. 115 East 19th Street, is no longer required as the resident has moved. (Ward 7)
- (j) Mrs. Linda Crouse, 304 Cope Street North, has requested that the existing reserved "Permit Parking" regulation adjacent to No. 306 Cope Street North, be replaced with a full-time "Wheelchair Loading Zone" regulation, to reduce the incidence of sight-line obstruction created when the subject parking space is occupied. Ms. Beverly Lutz, 308 Cope Street North, for whom the regulation was originally implemented supports the request. (Ward 4)
- (k) Linda Shepard, 62 Mars Avenue, has requested the implementation of a reserved "Permit Parking" regulation on the south side of Mars, directly in front of her home, since she is disabled. (Ward 3)

4. Loading Zones

- (a) Anne North, Principal of Richard Beasley School, 80 Currie Street, has requested that the existing School Bus Loading Zone on the west side of Currie, north of Beaconsfield, be changed to a combined School Bus Loading Zone and Taxi Stand. While this is a site specific request, it will be necessary to make a minor text amendment to accommodate this and future requests of this nature. (Ward 6)
- (b) Lily Borges, Especially For You Upholstry, 280-282 Hughson Street North, has requested that the "No Parking, 8:00 a.m. to 5:00 p.m., Monday to Friday" loading zone be reinstated in front of her business. (Ward 2)
- (c) Alderman Marvin Caplan has advised of a request from Mr. Simmons, owner of Al Simmons Gun Shop, 122 Locke Street South, that the existing "No Parking" loading zone on the west side

of Locke, south of Canada, be relocated northerly to directly in front of his business. (Ward 1)

- (d) Alderman Terry Anderson has advised of a request from Mount Hamilton Day Care Centre, 440 Upper Wentworth Avenue, that the existing "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the north side of Inverness, east of East 19th, be changed to a "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Saturday" loading zone. (Ward 7)
- (e) Alderman Frank D'Amico has advised of a request from Sandy Upper, 126 Gateview Drive, representing Queensdale School Parent Council, that a "Wheelchair Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be installed on the north side of Queensdale, east of Prince George, adjacent to the school. (Ward 8)

5. **Miscellaneous**

- (a) Alderman Andrea Horwath has advised of a request from Mr. B. Potter, Secretary of Her Majesty's Army & Navy Veterans Society, 96-98 MacNab Street North, that the duration of the parking meters on Vine between James and Park be changed from one hour to two hours. (Ward 2)

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **EIGHTH** Report for 1999 and respectfully recommends:

1. Charitable Opportunities – Hamilton District Extend-a-Family, Light Show

- (a) That approval is granted to Hamilton District Extend-a-Family, to locate animated light displays in T.B. McQueston Park on the occasion of the Winter Animated Light Show from December 1, 1999 – January 14, 2000 from dusk to 11:00 p.m. daily; and,
- (b) That this be approved for a three (3) year rental agreement, with a review after one year; and,
- (c) That the General Manager of Community Services negotiate a rental permit fee for the park; and,
- (d) That the above event be subject to the Terms and Conditions of the Special Events Guidelines.

2. Big "A" Amusements Ltd. – Fundraising Event, Queenston Parent/Child Drop-In Centre - Parkdale Park – July 29- August 2, 1999

That approval be granted to Big "A" Amusement Ltd. to hold a fundraising carnival event for the Queenston Parent/Child Drop-In Centre on July 29 – August 2, 1999 from 12:00 noon to 11:00 p.m. in Parkdale Park subject to the Standard Terms and Conditions of the Special Events Guidelines.

**3. North End Children's Centre - Rainbow Festival
July 9, 10, 11, 1999 - Woodlands Park**

That approval be granted to the North End Children's Centre to locate carnival rides in Woodlands Park on the occasion of the annual Rainbow Festival to be held on July 9, 10 and 11, 1999 from 10:00 a.m. to 10:00 p.m., subject to the Standard Terms and Conditions of the Special Events Guidelines.

4. Hamilton Region Cancer Centre Fundraising Mixed Softball Tournament - Globe Park – July 24, 1999 - Sale of Alcoholic Beverages

- (a) That approval be granted to the Hamilton Region Cancer Centre to sell alcoholic beverages at Globe Park on July 24, 1999 from 12:00 p.m. - 12:00 a.m. by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Licence; and,
- (b) That permission be granted to the Hamilton Region Cancer Centre to use Globe Park on July 24, 1999 from the hours 8:00 a.m. until 1:00 a.m. July 25, 1999.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Alderman Jackson -1.

CARRIED.

**5. Sale of Alcoholic Beverages – Mohawk Sports Park
Hamilton Hornets Rugby Football Club Inc. - July 9 and July 17, 1999**

That approval be granted to the Hamilton Hornets Rugby Football Club to sell alcoholic beverages at Mohawk Sports Park on July 9 and July 17, 1999 by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Licence.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Alderman Jackson -1.

CARRIED.

6. Gilkson Community Council- Donation for Washrooms in Concrete Block Building/Sun Shelter

- (a) That the City accept a \$50,000. donation from the Gilkson Community Council towards the construction of the concrete block building/sun shelter, attached hereto and marked as Appendix "A"; and,

- (b) That \$50,000 donation from the Gilkson Community Council in the interim be funded from the Park Development and Redevelopment 1999 Account CF629954044 and the Council be charged 0% interest for this advance; and,
- (c) That the Law Department be authorized to prepare a Construction Agreement and a Licence to Occupy Agreement between the City and the Gilkson Community Council; and,
- (d) That the Mayor and Municipal Clerk be authorized and directed to execute a Construction Agreement and a Licence to Occupy Agreement between the City and Gilkson Community Council.

7. Municipal Alcohol Risk Management Policy

That the Municipal Alcohol Risk Management Policy, attached hereto and marked as Appendix "B", being a set of guidelines aimed at promoting responsible alcohol consumption and the purpose of which is to minimize possible liability exposure arising from the use of Municipal facilities and property by individuals and groups be accepted and approved.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Alderman Jackson -1.

CARRIED.

8. Cart Service on Civic Golf Courses

- (a) That the General Manager of Community Services be authorized to amend the agreements, satisfactory to the Corporate Council, with the Concessionaires at Chedoke and King's Forest Civic Golf Courses to permit a cart service on the golf courses which would include the sale of alcohol during the 1999 Golf Season on a trial basis in accordance with Provincial statutes; and,
- (b) That the provision of this service be limited to weekend and tournament events; and,

- (c) That the General Manager of Community Services report back to the Committee by year-end on the results of this initiative.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Alderman Jackson -1.

CARRIED.

9. Multi-Pad Arena/Sports Complex – Short Listing of Proponents

- (a) That the General Manager of Community Services be authorized and directed to invite the following five consortiums/firms to submit detailed responses to the Stage 2 documents of the Request for Proposals for the construction and operation of a Multi-pad Arena/Sports Complex in the City of Hamilton:

Arena Corp./JBK Development Group, of London, Ontario
Crang and Boake, of Toronto, Ontario
Drivers Jonas, of Toronto, Ontario
R.G. Properties Ltd., of Vancouver, British Columbia
Rose Technology, of Willowdale, Ontario; and,

- (b) That the General Manager of Community Services report back the final selection results of the Request for Proposals in a timely fashion.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Alderman Copps -1.

CARRIED.

10. Gender Equity Policy for Sport and Recreation in the City of Hamilton

- (a) That Gender Equity Policy for Sport and Recreation in the City of Hamilton, attached hereto and marked as Appendix "C" be approved; and,

- (b) That the General Manager of Community Services be directed to meet annually with sport and recreation representatives to jointly strategize to reduce barriers to gender equity and to increase participation by girls and women in sport and recreation over the next 5 to 7 years; and,
- (c) That the General Manager of Community Services be directed to report annually to the Parks and Recreation Committee on the progress towards gender equity in sport and recreation in the City of Hamilton.

11. Naming of Parks and Facilities - Procedures and Guidelines

- (a) That the Procedure and Guidelines for Naming City of Hamilton Parks, Works Yards and Facilities attached hereto and marked as Appendix "D" be adopted; and,
- (b) That City Council rescind previous guidelines approved for the Naming of Parks and Facilities; and,
- (c) That the Parks Staff Advisory Committee be assigned the responsibility of receiving and reviewing all proposals for the naming of parks, works yards and facilities; and,
- (d) That recommendations of the Parks Staff Advisory Committee be forwarded to the General Manager having jurisdiction over the subject of the day for confirmation and presentation to the Parks and Recreation Committee for consideration.

**12. Authority to issue Requests for Proposals for Private Sector Partners
Hamilton Civic Golf Courses and Chedoke Winter Sports Park**

- (a) That the General Manager of Community Services be authorized to proceed with a "Letter of Interest" for a private operator to assume full responsibility for the management and operation of Hamilton civic golf courses and the Chedoke Winter Sports Park based on the following general conditions:
 - Private operator assumes full responsibility for costs and retains all revenues, but provides an annual licensing fee to the City and pays all appropriate taxes; and,

- The municipality is prepared to enter into a long term lease arrangement in return for capital investment from the private operator; and,
 - Private operator undertakes to make capital improvements stipulated by the Municipality within the first five years of the agreement; and,
 - The municipality will provide an annual subsidy to the private operator specific to the ski hill program in recognition of its primary mandate to provide a children's learn to ski program; the limited site and unfavourable weather conditions in an amount to be negotiated; and,
 - This subsidy for the ski program is contingent upon the private operator making capital reinvestment in the Ski facility infrastructure as prescribed by municipality; and,
- (b) That the private operator agrees to comply with performance standards stipulated by the City relative to management, maintenance, development and customer service and pricing; and,
- (c) That the selection criteria attached hereto and marked as Appendix "E" be approved for usage in evaluating responses to the Expression of Interest; and,
- (d) That the Director of Culture and Recreation be authorized and directed to prepare a "best effort" Five Year Business Plan, with input from required staff, to be completed prior to the issue of the Stage 2 Request For Proposals documents, said plan to be used as a benchmark to evaluate the merits of private sector proposals; and,
- (e) That the General Manager of Community Services report back on the results of the "Letter of Interest" for the September Council meeting.

13. Trans Canada Cycling Tour

- (a) That the Regional Municipality of Hamilton-Wentworth be requested to provide funding to an upset limit of \$15,000 to the organizer of Trans Canada Cycling Tour to be held September 10 and 11, 1999 to assist with costs of ancillary support from the Region and the City of Hamilton, exclusive of policing costs; and,

June 29, 1999

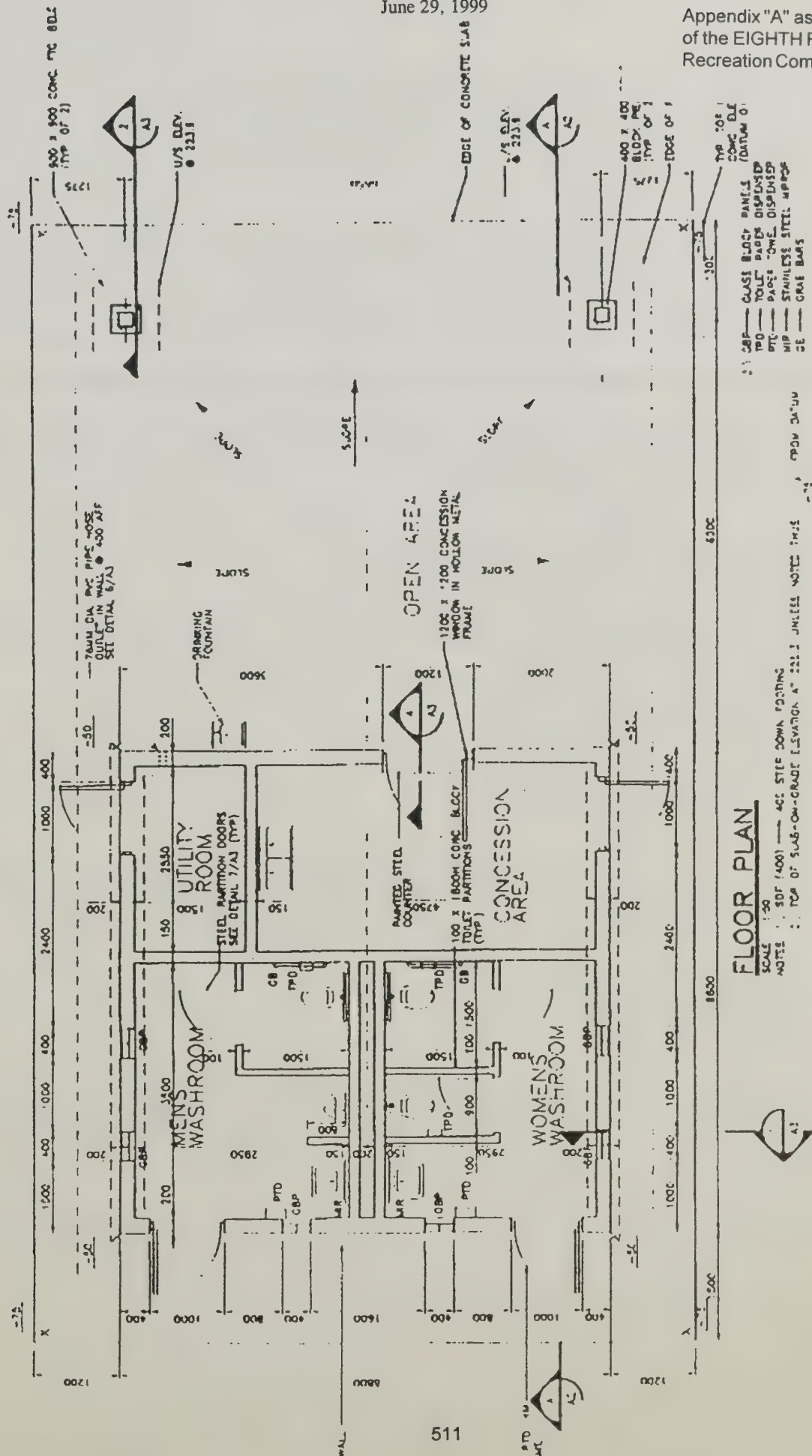
- (b) That the Joint Finance and Administration Committee recommend an appropriate source of Financing; and,
- (c) That funding be conditional upon City of Hamilton approval of the race route and the signing of appropriate agreements.

Respectfully Submitted,

**ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION
COMMITTEE**

**Tina Agnello
Secretary
June 21, 1999**

Appendix "A" as referred to in Section 6 (a)
of the EIGHTH Report of the Parks &
Recreation Committee for 1999



Corporation of the City of Hamilton

Municipal Alcohol Risk Management Policy

Preamble:

The Corporation of the City of Hamilton owns and manages facilities where alcohol consumption is not permitted, and other facilities where alcohol consumption is permitted under the authority of a Special Occasion Permit. The City of Hamilton has developed this Municipal Alcohol Risk Management Policy in order to:

1. prevent alcohol related problems that may arise from alcohol consumption within its' facilities, and
2. to promote a safe, responsible and enjoyable environment for those who use these facilities.

The consumption of alcohol creates the potential for problems to arise associated with drinking. These problems can affect not only the person or persons consuming alcohol, but other people who use the facilities and the general public. These problems may include:

- injuries to drinkers or other individuals
- liability action arising from alcohol related injuries or deaths.
- loss of insurability should the insurer's risk assessment escalate.
- possible increased insurance rates as a result of alcohol related incidents.
- suspension or loss of alcohol permit privileges by the Alcohol and Gaming Commission of Ontario (A.G.C.O)
- charges laid against the City under the Liquor Licence Act.
- Police attending at Municipal property.
- vandalism and destruction of City property.
- loss of enjoyment by non-drinkers and moderate drinkers.
- complaints lodged by offended parties.
- liability charges to employees

In most cases, these problems will not be attributable to moderate drinkers, or to those who respect the rules regarding alcohol consumption. It is believed that the majority of these problems arise from drinkers who engage in four specific drinking practices:

- underage drinking
- drinking in unlicensed areas
- drinking to intoxication
- drinking and driving

To the extent that these four drinking practices can be reduced, the likelihood of alcohol related problems may correspondingly diminish. For those individuals who do not engage in these targeted practices, the Policy will be minimally intrusive. It is not the intention of this Policy to stand in opposition to legal and moderate drinking.

1.0 Purpose of the Policy

2.

The Municipal Alcohol Risk Management Policy consists of measures designed to prevent alcohol related problems while allowing for the quiet enjoyment of those who use City facilities through clear, responsible guidelines. By reducing the potential for alcohol related problems, the City of Hamilton simultaneously seeks to reduce the users' loss of enjoyment of the facilities/events, reduce the risk of injury and death, and reduce the risk of liability actions.

2.0 Areas Designated for Conditional Use of Alcohol

The consumption of alcoholic beverages is prohibited in the majority of City facilities, City parks, City /Regional road allowances and operated sports facilities. The City of Hamilton Council may change the designation of any site at its discretion.

The following Municipal facilities are designated as suitable for Special Occasion Permit (S.O.P.) functions:

- | | |
|--------------------------------------|--------------------------------|
| ○ Mountain Arena | ○ Normanhurst Community Centre |
| ○ Inch Park Arena | ○ Eastmount Community Centre |
| ○ Chedoke Twin Pad Arena | ○ Commonwealth Square |
| ○ Eastwood Arena | ○ Ivor Wynn Stadium |
| ○ Coronation Arena | ○ Brian Timmis Stadium |
| ○ Rosedale Arena | ○ Dundurn Park |
| ○ Parkdale Arena | ○ Globe Park |
| ○ Lawfield Arena | ○ Victoria Park |
| ○ Scott Park Arena | ○ Turner Park Miscellaneous |
| ○ Sackville Hill Seniors Centre | ○ Road Allowances |
| ○ Huntington Park Recreation Centre | ○ Coach House – Dundurn Castle |
| ○ Barton Community Centre | ○ Bayfront Park |
| ○ Dundurn Park Pavilion | ○ Pier 4 Park |
| ○ Main-Hess Seniors Centre | ○ Gage Park |
| ○ Central Memorial Recreation Centre | ○ Mohawk Sports Park |

*This list does not represent an exhaustive list of all properties and is a guideline only.

MISCELLANEOUS:

- Road Allowances (City and Regional) within Municipality of Hamilton-Wentworth will be reviewed on a case by case and approval is required from City/Regional Councils.

Some facilities operate with alcohol as any integral aspect of their curriculum and are to be governed under liquor licence operating guidelines. While operating outside of their liquor licence, they must acquire a S.O.P.

- City of Hamilton Municipal Golf Courses
- Ivor Wynn Stadium
- Rosedale Tennis Club
- The Stables at Dundurn Castle
- HECFI

Each facility operating under the auspices of an A.G.C.O. permit will be required to designate areas governed by the S.O.P. (Special Occasion Permit) permit.

3.0 Certification/Training
Smart Serve Program (S.S.P.)

3.

In order to allow the usage a City of Hamilton facility for a Special Occasion Permit function, the event sponsor must use bartenders, ticket sellers, floor monitors, etc., with certification from a recognized Ontario based server program. Proof of certification or training must be provided two (2) weeks prior to the event.

The Smart Serve Program (formerly known as S.I.P.) prepared by the Hospitality Industry Training Organization of Ontario, is approved by the A.G.C.O., and is endorsed by the Ministry of Consumer and Commercial Relations. It introduces participants to the following topics:

- ☐ alcohol and the Law
- ☐ facts about alcohol
- ☐ standard drink concept
- ☐ managing the intoxicated person
- ☐ drinking rates and limits
- ☐ establishing house policies
- ☐ signs of intoxication

The Municipality, by requiring the presence of trained monitors, servers and ticket sellers at alcohol-related events, is better able to discharge its responsibilities as the owner of the facility.

Acknowledging that it may be difficult for organizations to immediately comply, it is recommended that the number of trained people at Special Events (as required in Article 4.3) be phased in as follows:

- ☐ 25% as of 1999 August 1
- ☐ 50% as of 2000 January 1

Caterers and licenced stadia are required by law to have all personnel trained by a recognized Ontario based server program.

4.0 Controls

In order to be eligible for a facility permit for a S.O.P. function, the sponsor must demonstrate to the satisfaction of the Director of Culture and Recreation or Commissioner of Public Works & Traffic or the Commissioner of Transportation (Regional) or their designate, that there are sufficient controls in place to prevent intoxicated or rowdy people from entering the event, and that the aforementioned participants will be refused service and safely escorted from the event. These controls will include:

- 4.1 that only an age of majority card, a photo driver's licence, military identification, or a passport as identification be accepted for being served or consuming alcohol.

- 4.2 that all entrances and exits to the event be adequately supervised.
- 4.3 that a ration of one (1) floor monitor for every fifty (50) participants be utilized.
- 4.4 that all event workers (monitors, bartenders, servers, ticket sellers etc.) must refrain from consuming alcohol prior to and during the event.
- 4.5 that at all times at least 50% of event workers (monitors, bartenders, servers, ticket sellers etc.) must be of the age of majority, and certified by a recognized Ontario based server program.
- 4.6 that the sponsor provide a list of monitors, bartenders, servers and ticket sellers with their proof of certification or training and that such list shall be posted with the groups S.O.P.
- 4.7 that with a minimum of one monitor, who must be trained, the area outside the licenced area at the event be patrolled, as per A.G.C.O. regulations.
- 4.8* that a limit of two (2) drink tickets be permitted to be purchased by one person at any one time.
- 4.9* that a limit of two (2) drinks be served to one person at any one time.

RATIONALE: *By limiting the number of drinks participants may purchase at one time, the ticket sellers, monitors, bartenders and servers are provided with more opportunities to observe participants for signs of intoxication. Table consumption can be moderated by not selling rounds of large numbers of tickets - a strip of twenty, for example.*

- 4.10 that the person whose name is on the S.O.P. be certified from a recognized Ontario based server program.
- 4.11 that there be no "last call" announced and no happy hours.
- 4.12 that any incident or violation of the Municipal Alcohol Risk Management Policy which may endanger participants at the S.O.P. function, or off the premises of the S.O.P. function, shall be the responsibility of the S.O.P. permit holder.
- 4.13 that a copy of this Policy be provided to the S.O.P. function applicant at the time of application, and that the applicant sign that he has read, understands and agrees to comply with the rules stated herein.
- 4.14 that the person signing the S.O.P. or his/her designate (who shall be named) must be present at the event, being the person responsible for the event.
- 4.15 that the person signing the S.O.P. or his/her designate is responsible for decision making during the event, and therefore, must refrain from consuming alcohol prior to or during the event.

- 4.16 that non-alcoholic beverages and food be available at all times. It is recommended that non-alcoholic beverages be provided at no charge or at a cost significantly lower than alcoholic beverages.
- 4.17* at all times bottle and draft beer of a light variety of bottle and draft beer be offered, and be posted with the A.G.C.O. Permit.

RATIONALE: *Low alcohol beverages help prevent intoxication by providing responsible consumers with an opportunity to consume less alcohol and avoid becoming intoxicated. A patron consuming a regular beer (at 5% alcohol) would have to drink two "extra light" beers (at 2.5% alcohol) to ingest the same amount of alcohol. Similarly, light beer (at 4% alcohol) represents a 20% reduction in alcohol intake.*

- 4.18 that the City prefer that alcoholic beer of the standard 5.0% or less be emphasized as opposed to premium beers or wine coolers of greater alcoholic content.
 - 4.19 that alcohol not be offered or given as a prize in a contest.
 - 4.20 that the S.O.P. Permit holder has the right to refuse admittance to persons who are underage, or to an individual who appears intoxicated.
 - 4.21 that any beverage being served at a S.O.P. function will be served in plastic or paper containers.
 - 4.22 that all monitors, bartenders, servers and ticket sellers, acting in official capacity at the event, must wear an I.D. name tag, identifying them as such and approval by the Municipality/Region.
 - 4.23 that no marketing practices which encourage increased consumption i.e. oversized drinks, double shots, pitchers of beer, drinking contests, volume discounts, be permitted.
 - 4.24 that the Director of Culture and Recreation/Commissioner of Public Works & Traffic or Commissioner of Transportation or their designate have the right to require the presence of Hamilton-Wentworth police officers to be present for the duration of the event which cost will be borne by the applicant; and, that for all events in excess of 75 people, that this condition be imposed as standard practice.
 - 4.25 the City of Hamilton reserves the right to introduce other conditions from time to time at its discretion.
- 5.0 Accountability

Signs must be prominently posted at all Special Occasion Permit functions informing the public where they can forward their concerns.

The sign will name the sponsor of the event, the name of the Special Occasion Permit Holder, and the addresses and telephone numbers of the City of Hamilton, Culture and Recreation Department, the Commissioner of Public Works and Traffic, Commissioner of Transportation or other designate, the Hamilton-Wentworth Regional Police and the Alcohol and Gaming Commission of Ontario.

There shall be uniformity in the signs outlining:

6.

- Event Sponsor
Name of Special Occasion Permit Holder
- City of Hamilton
Department of Culture and Recreation
71 Main Street West
HAMILTON, Ontario L8P 4Y5 (905) 546-2750
- Hamilton-Wentworth Regional Police
155 King William Street
HAMILTON, Ontario L8R 1A6 (905) 546-4925
- Alcohol and Gaming Commission of Ontario (AGCO)
20 Dundas Street West
TORONTO, Ontario M5G 2N6 (416) 326-0450
- Emergency 9-911

An additional sign shall be prominently posted at the bar and at the ticket counter stating the law on intoxication. The sign shall read "It is against the Liquor Licence Act of Ontario for licenced establishments to serve customers to intoxication. For this reason, servers in our facilities are required to obey the law and not serve anyone to intoxication. We are also pleased to offer non-alcoholic beverages".

Rationale

It is not possible for the Police and Liquor Licence Inspectors to check on all Special Occasion Permit functions. The sign serves as notice to the permit holder that while enforcement personnel may not attend the event, concerned participants will know where to lodge a complaint which may affect future activities.

6.0 Enforcement Procedures for Policy Violations

Any individual or group bringing alcohol onto designated Municipal properties must have a Special Occasion Permit.

- 6.1 a violation of the Policy occurs when the Special Occasion Permit holder fails to comply with the conditions of the Liquor Licence Act of Ontario, or the Municipal Alcohol Risk Management Policy. Intervention can be initiated by a participant at the event, a City of Hamilton staff member, a member of the Hamilton-Wentworth Regional Police or an Inspector of the Alcohol and Gaming Commission of Ontario.
- 6.2 a member of the organizing group, the S.O.P. holder, or monitor may intervene by informing the offending individual(s) of the Policy violation, and asking that it be stopped, or corrected. Group members, the S.O.P. holder and monitors are encouraged to intervene in this way because intervention at other levels could ultimately result in a loss of privileges and possible criminal code charges.

- 6.3 a City of Hamilton staff member on duty will intervene whenever he/she encounters a violation of Policy. Depending upon the severity of the Policy infraction, City of Hamilton staff may request the organizers of the event to stop the violation, or they may close down the S.O.P. portion of the event. The organizers will not be reimbursed for any financial loss which may be incurred as a result of this action. Should the organizers refuse to comply, staff may call the Police for enforcement.
- 6.4 where the Special Occasion Permit holders have violated the Municipal Alcohol Risk Management Policy, and have been warned by a City of Hamilton/Regional staff member, the sponsoring organization will be sent a registered letter advising of the violation, and indicating that no further violations will be tolerated.
- 6.5 should the Special Occasion Permit holder violate the Policy within one year of receiving notice of their first violation, the organizers will be suspended from Special Occasion Permit privileges at all Municipal facilities for a period of not less than one year. A registered letter will be sent to the S.O.P. holder and sponsoring organization advising of the suspension.
- 6.6 a member of the Hamilton-Wentworth Regional Police or an Inspector from the Alcohol and Gaming Commission of Ontario may intervene in a violation of this Policy on his or her initiative, or in response to a request from either a City staff member or a member of the general public. Depending upon the severity of the infraction, charges may be laid under the Liquor Licence Act of Ontario, or any other relevant legislation.
- 6.7. all staff monitors which includes , serving staff, bartenders , door monitors and management staff should always be in a position to quickly detect intoxicated patrons.
- 6.8 in the case of patrons who are intoxicated to the point that they must be cut off, the permit holder or designated event staff must make every effort to ensure that the patron does not drive and that he/she will arrive home safely. In some instances, non-intoxicated friends might agree to drive the person home, or a cab may be called for the patron.

7.0 Policy Monitoring and Revisions

This Policy is to be reviewed each year by the City of Hamilton, Department of Culture and Recreation Management, and revisions, if any, reported to the City of Hamilton, City Council and in consultation with Events Organizers.

8.0 Applications

That the City of Hamilton Council, when approving a Liquor Licence event, submitted to the A.G.C.O., or the Director of Culture and Recreation acting in his/her capacity, recommend approval, that it be conditional upon the event sponsor agreeing, in writing, to follow the Municipal Alcohol Risk Management Policy (Appendix A).

9.0 Insurance

8.

Individuals or groups sponsoring a Special Occasion Permit function at a listed Municipal facility in the Municipal Alcohol Risk Management Policy, must show proof to the Director of Culture and Recreation/Commissioner of Public Works and Traffic or their designate at least two (2) weeks prior to the event, that they have a minimum of five million dollars (\$5,000,000) liability insurance coverage (which shall include a host liquor liability endorsement), and that the City of Hamilton/Region of Hamilton-Wentworth is named as an additional insured party to this Policy.

The permit holder will be required to enter into a Licence Agreement in a form specified by the City Solicitor agreeing to indemnify and save the Corporation of the City of Hamilton/Region of Hamilton-Wentworth harmless from all claims arising from the permit or event. The actual insurance limits required may be increased at the discretion of the City of Hamilton should it be determined that the risk involved with the event dictates a higher limit of insurance.

June 29, 1999

APPENDIX "A"

9.

SPECIAL OCCASION PERMIT (S.O.P.) HOLDER AGREEMENT

(Please Print)

NAME OF ORGANIZATION _____

NAME OF PERMIT HOLDER _____

CERTIFICATION

1. The Permit Holder has received and reviewed a copy of the Municipal Alcohol Management Policy.
2. The Permit Holder agrees to adhere to the conditions of this Policy and the Liquor Licence Act of Ontario.
3. The Permit Holder understands that if an infraction of the Policy occurs, the City of Hamilton may warn or suspend the organization from A.G.C.O. permit privileges to use City facilities for one year.
4. The Permit Holder understands that they can be held liable for injuries and damage arising from failure to adhere to the Liquor Licence Act of Ontario, or from otherwise failing to take action that will prevent foreseeable harm from occurring.
5. The Permit Holder understands that the Police and/or a Liquor Licence Inspector can lay charges for infractions of the Liquor Licence Act of Ontario or other relevant legislation.

SIGNATURE: _____
Permit Holder

Address: _____

Phone No: _____

OFFICE USE

Agreement received by: _____

Date: _____
Day/Month/Year

S.O.P. ACCOUNTABILITY

Name of Group Sponsoring Event

Name of Special Occasion Permit Holder

Address and Phone Number of Permit Holder

Facility Owner:

City of Hamilton
71 Main Street West
HAMILTON, Ontario L8P 4Y5
Telephone: (905) 546-2750 (905) 546-2710 evenings and weekends

Regional Police:

Hamilton-Wentworth Regional Police
155 King William Street
HAMILTON, Ontario L8R 1A6
Telephone: (905) 546-4925

AGCO:

Alcohol and Gaming Commission of Ontario
20 Dundas Street West
TORONTO, Ontario M5G 2N6
Telephone: (416) 326-0450

TO BE PROMINENTLY POSTED IN TWO LOCATIONS AT THE EVENT

June 29, 1999
APPENDIX "C"

11.

S.O.P. HOLDER & CERTIFIED OR TRAINED EVENT WORKERS

S.O.P. HOLDER AND DESIGNATE(S): (Please Print)

CERTIFIED OR TRAINED EVENT WORKERS:
(MONITORS/BARTENDERS/SERVERS/TICKET SELLERS)
(Please Print)

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

11.

12.

Use additional forms, if necessary. Proof of certification or training to be posted at the event with the S.O.P..

AREAS DESIGNATED FOR CONDITIONAL USE OF ALCOHOL

ARENAS

Chedoke Twin Pad
Eastwood
Coronation
Inch Park
Lawfield
Mountain
Parkdale
Rosedale
Scott Park

RECREATION CENTRES

Huntington

SENIORS CENTRES

Sackville Hill
Main-Hess

COMMUNITY CENTRES

Barton Community Centre

CULTURAL/MUSEUMS

Dundurn Pavilion

GENDER EQUITY POLICY FOR SPORT AND RECREATION IN THE CITY OF HAMILTON

PURPOSE OF THE POLICY:

The purpose of the Policy is to set in place principles and practices that will ensure full and fair access for girls and women in sport and recreation in the City of Hamilton.

POLICY STATEMENT:

The City of Hamilton is committed to ensuring that girls and women have a full and equal range of opportunities to participate, compete and lead in sport and recreation activities in our community in an environment that is supportive, welcoming and harassment-free.

POLICY PRINCIPLES:

The City of Hamilton endorses the policy principles articulated in the Provincial Gender Equity Policy Statement as follows:

1. Participation in physical activity and sport enhances physical, social and emotional well being. It can lead to a personal sense of accomplishment and belonging, a healthier and more productive life and community pride. It can lead to increases in feelings of self-esteem and perceived competence.
2. Participation is enhanced by giving women and girls a full choice, including participation in teams of their preference.

GENDER EQUITY DEFINED:

For the purposes of the policy the definition articulated by the Nova Scotia Sport and Recreation Commission Gender Equity Policy – 1996 will be used:

Gender Equity is the principle and practice of fair allocation of resources, programs and decision-making to both men and women, and includes the redressing of identified imbalances in the benefits available.

STRATEGIC DIRECTIONS:

"In order to achieve the goal of gender equity in the City of Hamilton over the next 5 to 7 years, we are committed to the following actions:

1. Track gender equity performance indicators through community group affiliation policy guidelines:
 - a) Participation rates by gender in traditionally male-dominated sports;
 - b) Involvement by gender of leaders, coaches, referees, board members;
 - c) Number of teams by gender;
 - d) Facility allocation by gender.
2. Because of the serious effects of harassment and abuse, adopt a policy and procedure for prevention of harassment and abuse in sport and recreation. Encourage harassment officer appointments in sport and recreation groups.
3. Review existing use of facilities and develop creative strategies to achieve gender equity.
4. Review internal resource allocation (e.g. operating budgets) and, where there is a need, reallocate resources to achieve gender equity.
5. Develop a gender equity training plan for participants, elected officials, sport and recreation leaders, and media.
6. Develop a plan to reduce barriers to gender equity in sport and recreation. The plan should address:
 - a) Safety and security
 - b) Access, e.g. fees/costs to participate
 - c) Other issues as they arise
7. Lead in the use of inclusive language and images in all department programs and media. Be a role model in inclusive language in sport and recreation.
8. Communicate gender equity policy to all sport and recreation partners, participants and the public.
9. Report yearly to council on progress toward gender equity in sport and recreation."

**COMMUNITY SERVICES DIVISION
DEPARTMENT OF CULTURE AND RECREATION
STAKEHOLDER LIST FOR GENDER EQUITY POLICY REVIEW**

Laurie Davison	Hamilton Figure Skating Club
John Busser	Wentworth Figure Skating Club
Doug Harrison	Transway Basketball
Peter Rumble	Hamilton Ringette Association
Peter Rosser	Catholic Youth Organization
Mike Morton	HWRCSSB
Sue Gibson	Hamilton Girls' Hockey
Debbie Marinoff	McMaster School of Athletics
Peter Martin	Hamilton Minor Hockey Council
Chris Newman	Hamilton Board of Education
Judy Bois	Quinndale Community Council
Rick Makins	H & D Soccer Association
Therese Quigley	McMaster University
Jill Rumble	CEO YWCA of Hamilton

PROCEDURE AND GUIDELINES
FOR THE NAMING OF
PARKS, WORKS YARDS AND RECREATION FACILITIES

PROCEDURE:

- Proposed names for Parks, Works Yards and Depots, Recreation Facilities and Museums will be submitted, in writing, to the Parks Staff Advisory Committee for review and recommendation to the General Manager having jurisdiction. Names may be submitted by elected officials, staff or members of the public.
- The nominating party will be required to supply background material in support of the proposed name, in sufficient detail to allow the review committee a clear understanding and appreciation for the request (a nomination application forms part of these guidelines and represents the minimum amount of information required).
- Written submissions will be acknowledged by the secretary of the Parks Advisory Committee, immediately upon receipt.
- In the event of there being more than one properly submitted nomination, the staff committee will consider the relative merits of each and forward one recommended name along with information on other proposals.
- The staff committee will consider the merits of the proposal(s) in the context of approval guidelines and recommend accordingly.
- In the absence of any formal proposal via nomination, the Parks Staff Advisory Committee will recommend a name for the park or major facility or, alternatively, a procedure for soliciting public and stakeholder input.
- Having received a recommendation from the staff committee, the General Manager having jurisdiction will confirm the appropriateness of the selected name and forward a report to the Parks and Recreation Committee of Council, for consideration.

-

June 29, 1999

for extraordinary and exemplary service to community well being or special achievement reaching beyond local significance.

Where an exception is being considered and the naming of a park or facility after an individual or group is being recommended, the following guidelines apply:

a) In the case of a Deceased Person:

- i) Recognition shall not be considered until 2 years after the death of such person.
- ii) The agreement of next of kin shall be obtained prior to implementation.
- * iii) The basis for recognition must be well documented and broadly acknowledged as benefiting the City, the Province, the Country
 - i.e. Sam Lawrence Park
 - T. B. McQuesten Park
 - Churchill Park
- * iv) To the extent possible, a direct relationship should exist between the individual and the feature being considered for name recognition.
 - i.e. Sports personality matched with area of athletic endeavour - Jimmy Thompson Pool
- * v) Once named after an individual, park and major facility names should not be changed.

b) In the case of a Living Person or Organization, recognition may be considered by the Parks Staff Advisory Committee as per the procedure and policies contained in this document, or by City Council.

For the purpose of aiding the decision making process, the following guideline applies:

- i) Eligibility in this category is reserved for person(s) or organizations having achieved a standard of community service or form of achievement notably and agreeably 'above and beyond' the requirement of extraordinary and exemplary.

Appendix "E" as referred to in
Section 12 (e) of the EIGHTH Report
of the Parks & Recreation
Committee for 1999

CORPORATE INFORMATION

Proponent Corporate Structure and Stability

The ability of the proponent to demonstrate corporate stability and a historically solid financial position will be an important factor in determining the company's (or consortium's) worthiness to proceed to the next stage of the evaluation process. Submissions should include an indication of the proponent's corporate staff and management structure, years in business, relationships and alliances with other firms, funding sources (such as investors), and details that instill a level of confidence that the proponent is committed and able to enter into a long term relationship with the City. In the case of a consortium, the submission should clearly indicate the lead firm, providing a confirmation that the financial obligations that are implied by the concept are protected by the lead firm's covenant.

Proponent Capacity To Undertake The Project

The submission should include an indication of the proponent's capacity to partner with the City on the golf course project of the size and scope of the proposed concept. The proponent team should include individuals or associate firms with the necessary talents, experience, and financial base to undertake all financial and operating elements included in the package. Moreover, the degree to which the lead firm is involved beyond the initial stage of the project may be important, depending upon the nature of the proposed relationship. For example, a redevelopment of a clubhouse proposal may be fronted by a large construction firm. The score for this criteria should reflect both the capacity of the contractor and the proposed operator.

Previous Experience

Past experience of the team or key firms within the team, in operations of facilities of similar nature and scale will be an important evaluation factor. Previous experience involving golf course management and food and beverage operations or other businesses included in the proponent's concept should be considered. An assessment of the skills of individual members of the consortium, separate from the assessment of the demonstrated ability of the firms within the consortium should also help guide the evaluation decision. Consideration of *who are the key players on each team* and their past experience and the proposed types of facilities should be answered. Depth of the team is also an issue. A consortium with good skills represented by only one individual may not be scored as highly as a consortium that includes more than one individual with the appropriate talents.

BASIC CONCEPT ELEMENTS

Compliance With Project Objectives

The Letter Of Interest documentation will outline the City's objectives for the project. Issues such as enhanced leisure opportunities available to Hamilton's residents and financial benefits to the City will be addressed. The submission should clearly outline the manner in which the concept and the proponent's plans are capable of fulfilling the objectives.

Quality Of The Concept and Facilities

The submission should describe a basic concept that is sound and provides Hamilton's residents with access to golf facilities and other support services consistent with the City's traditional recreation standards. Basic operating elements, effective use of the site, and other fundamentals of the concept should be evaluated under this criteria.

Cost Efficiencies, Net Revenue and Operational Effectiveness

Although the expression of interest will provide only the basic elements of the financial proposition, the proponent should identify (even if only in general terms) cost savings, a proportion of net revenues, or operating efficiencies that would accrue to the municipality as a result of the project. For example, a concept that would help the City avoid capital or operating (net) costs normally associated with a municipally developed golf facility, without compromising facility or service quality, would be viewed favorably. Opportunities to re-allocate existing resources to other service areas (such as staff redeployment) are benefits that could be included in creative partnership propositions. It will be important to focus on the concepts and possibilities rather than searching for specific financial details during Stage One.

ENHANCED CONCEPT ELEMENTS

Plans For Additional Facilities

The proponent's submission may include facilities and support amenities beyond basic golf operations. Ancillary facilities that enhance the course's character and are in keeping with the objectives of the project while remaining sensitive to the needs of golfers and other facility users should receive favorable consideration. A proposition that demonstrates an understanding of the market conditions and (likely) viability of the supplementary components should received high marks.

Creative Leisure Service Enhancements

A concept that creates a desirable golf destination should be viewed favorably. Innovative, creative ideas for attracting new and return golfers should be given merit. Further, plans to integrate different types of facility uses within one complex to the extent that the leisure experience is enhanced beyond what would normally occur at a municipal facility should fair well under this criteria.

GENERAL

Completeness And Clarity Of Submission

The provision of a well-organized, thoughtful submission that clearly describes the proponent's concept and capabilities to perform the associated responsibilities are important. Submissions should be evaluated based upon their comprehensiveness, thoroughness and clarity.

THE CITY OF HAMILTON - CHEDOKE AND KING'S FOREST GOLF COURSES
Letters of Interest Evaluation Form

CRITERIA	WEIGHT	Proponent: _____		
		Score	Score x Weight	Notes
Corporate Information				
Proponent corporate structure/stability				
Proponent's capacity to undertake the project				
Previous experience				
Basic Concept Elements				June 29, 1999
Compliance with project objectives				
Quality of the concept/facilities				
Cost efficiencies/operational effectiveness				
Enhanced Concept Elements				
Plans for additional facilities				
Creative leisure service enhancements				
General				
Completeness and clarity of submission				
TOTAL SCORE				

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **THIRTEENTH** Report for 1999 and respectfully recommends:

1. **ZAC-99-09, 360 James Street North**

That approval be given to Zoning Application ZAC-99-09, Canadian National Railway, owner, for changes in zoning from "J" (Light and Limited Heavy Industry, etc.) District to "H"-H' (Community Shopping and Commercial, etc. - Holding) District (Block "1") and "A" (Conservation, Open Space and Parkland) District (Block "2") for lands known as 360 James Street North, as shown on the attached map marked as APPENDIX "A", on the following basis:

- (a) That Block "1" be rezoned from "J" (Light and Limited Heavy Industry, etc.) District to "H"-H' (Community Shopping and Commercial, etc. - Holding) District;
- (b) That Block "2" be rezoned from "J" (Light and Limited Heavy Industry, etc.) District to "A" (Conservation, Open Space and Parkland) District;
- (c) That the "H" (Community Shopping and Commercial, etc.) District regulations, as contained in Section 14. of Zoning By-law No. 6593, applicable to Block "1", as referred to in Section (i) be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 14.(1), only the following uses shall be permitted:
 - (1) a restaurant, but not a drive-thru or take-out restaurant, banquet hall, training school and business or professional person's offices shall be permitted only within the building existing on the day of the passing of the by-law provided that:
 - (aa) the external appearance and character of the existing building shall be preserved and maintained;

- (bb) the banquet hall, including any areas for the preparation and cooking of food, shall have a maximum gross floor area of 840 square metres;
 - (cc) the restaurant shall have a maximum gross floor area of 185 square meters;
 - (dd) the business or professional person's offices shall have a maximum gross floor area of 750 square meters;
 - (ee) the training school, including accessory offices and classrooms, shall have a maximum gross floor area of 1,200 square meters;
- (2) a maximum 3 storey building for use as a residential care facility for the accommodation of not more than 120 residents of at least 65 years of age and a day nursery for the accommodation of not more than 30 children; and,
 - (3) Notwithstanding Section 2.(2)A.(xiiaaa) of Zoning By-law No. 6593, a Residential Care Facility shall be permitted within a building containing a day nursery.
- (ii) Section 18A.(12)(c) shall not apply where Block "1" abuts Block "2";
 - (iii) Notwithstanding Section 4.(3)(a) of Zoning By-law No. 6593, two buildings shall be permitted in accordance with Section (iii)(a) of this by-law;
 - (iv) the following separation distance shall be provided and maintained between each of the two permitted buildings:

a distance of not less than 10.0 metres;
 - (v) Section 18A.(36) shall not apply;
 - (vi) Notwithstanding Section 14(3) of Zoning By-law No. 6593, for any new building or structure, a minimum setback of 30.0 metres from a railway-right-of-way shall be provided and maintained;
 - (vii) A 1.83 metre high chain link fence shall be provided and maintained along any lot line abutting a railway right-of-way;

- (viii) An earthen berm being a minimum of 2.5 metres above grade, having side slopes not steeper than 2.5 to 1, shall be provided and maintained along any lot line abutting a railway right-of-way.
- (d) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to Block "1" by introducing the holding symbol 'H' as a suffix to the proposed zoning district. The holding provision will prohibit the development of the subject lands until:
 - (i) the owner receives approval from the Ontario Heritage Foundation for any site alterations, demolition or construction in accordance with the Conservation Easement to be registered on title of the subject lands;
 - (ii) the owner applies for and receives approval from City Council for a Heritage Permit, in accordance with the applicable provisions of the Ontario Heritage Act, for any site alterations, demolition or construction in accordance with the provisions of By-law No. 95-115 (A By-law to Designate Land Located at Municipal No. 360 James Street North (241 Stuart Street) as Property of Historic and Architectural Value and Interest) and completes a Heritage Impact Assessment to the satisfaction of the General Manager, Community Planning and Development Division;
 - (iii) the owner applies for and receives final approval for a Site Plan Control Application;
 - (iv) completion by a qualified consultant of a noise/vibration assessment study investigating noise/vibration levels impacting the proposed development and recommending noise/vibration control measures (if applicable), with said study and noise/vibration control measures being to the satisfaction of the Director, Land Development, Community Planning and Development Division;
 - (v) completion of a servicing study to show how the proposed 78 Bed Residential Care facility will be serviced for storm and sanitary sewers to the satisfaction of the Director, Land Development, Community Planning and Development Division; and,

- (vi) the owner submit a signed Record of Site Condition (RCS) to residential standards for the proposed residential care facility/day nursery to the Region of Hamilton-Wentworth and the Ministry of Environment, to the satisfaction of the General Manager, Community Planning and Development Division, including an acknowledgement of receipt of the RCS by the MOE;

The 'H' symbol shall be removed by amendment to this by-law and the development of the subject lands may proceed in accordance with the "H" (Community Shopping and Commercial, etc. – Holding) District provisions, as modified.

- (e) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S -1425, and that the subject lands on Zoning District Map W-3 be notated as S -1425; and,
- (f) That the Corporate Counsel be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-3 for presentation to City Council; and,
- (g) That upon finalization of the implementing zoning by-law, the approved Beasley Neighbourhood Plan be amended to redesignate the northern portion of the subject lands from "Utilities" to "Commercial & Residential"; and,
- (h) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

2. ZAC-99-10, West of James Street and South of the C.N. Railway

That approval be given to Zoning Application ZAC-99-10, Canadian National Railway, owner, for changes in zoning from "H" (Community Shopping and Commercial, etc.) District (Block "1") and "J" (Light and Limited Heavy Industry, etc.) District (Block "2") to "G-3" – 'H' (Public Parking Lots – Holding) District to permit the use of the subject lands for a public parking lot, for lands located west of James Street, east of Bay Street North and south of the C.N. Railway line, as shown on the attached map marked as APPENDIX "B", on the following basis:

- (a) That Block "1" be rezoned from "H" (Community Shopping and Commercial, etc.) District to "G-3" – 'H' (Public Parking Lots - Holding) District; and,

- (b) That Block "2" be from "J" (Light and Limited Heavy Industry, etc.) District to "G-3" – 'H' (Public Parking Lots - Holding) District; and,
- (c) That the "G-3" (Public Parking Lots) District regulations, as contained in Section 14, of Zoning By-law No. 6593, applicable to Blocks "1" and "2", as referred to in Sections (i) and (ii) be modified to include the following variances as special requirements:
 - (1) A 1.83 metre high chain link fence shall be provided and maintained along any lot line abutting a railway right-of-way;
ADDED.
- (d) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to Blocks "1" and "2" by introducing the holding symbol 'H' as a suffix to the proposed zoning district. The holding provision will prohibit the development of the subject lands until:
 - (1) the applicant/owner has applied for and received approval of a Site Plan Control application from the City of Hamilton.

City Council may remove the 'H' symbol, and thereby give effect to the "G-3" District provisions as stipulated in this By-law, by enactment of an amending By-law once the above condition has been fulfilled; and,
- (e) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S -1426, and that the subject lands on Zoning District Map W-3 be notated as S -1426; and,
- (f) That the Corporate Counsel be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-3 for presentation to City Council; and,
- (g) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning.

3. ZAR-99-13, Rear of 1487 Upper Sherman Avenue

That approval be given to Zoning Application ZAR-99-13, Samuel Guerriero, owner, for a modification in zoning to the established "C" (Urban Protected Residential, etc.) District (Block "1") and for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified, (Block "2") to permit the use of the subject lands for four (4) single detached dwellings, for lands located east of Upper Sherman Avenue, west of Eaglewood Drive, south of Dalia Avenue and

located at the rear of 1487 Upper Sherman Avenue, as shown on the attached map marked as APPENDIX "C", on the following basis:

- (a) That Block "2" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,
- (b) That the "C" (Urban Protected Residential, etc.) District regulations, contained in Section 9. of Zoning By-law No. 6593, applicable to Blocks "1" and "2" be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 9.(4) of Zoning By-law No. 6593, for an interior lot, every lot shall have a width of at least 11.6 metres and an area of at least 350.0 square metres within the district; and,
 - (ii) That notwithstanding Section 9.(4) of Zoning By-law No. 6593, for a corner lot, every lot shall have a width of at least 11.6 metres and an area of at least 335.0 square metres within the district;
- (c) That the Director of Legal Services be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-38C and E-38D for presentation to City Council; and,
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

4. ZAC-99-12, Rear of 1509 Upper Sherman Avenue

That approval be given to Zoning Application ZAC-99-12, Harp Homes Building Corporation (M. Mazza), prospective owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the use of the subject lands for single family residential uses, for lands located east of Upper Sherman Avenue, west of Eaglewood Drive, south of Dalia Avenue and located at the rear of 1509 Upper Sherman Avenue, as shown on the attached map marked as APPENDIX "D", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,
- (b) That the General Manager, Community Planning and Development Division be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-38C and E-38D for presentation to City Council; and,
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

5. ZAR-99-15, Rear of 102 Eleanor Avenue

That approval be given to Zoning Application ZAR-99-15, F. Mastroianni and A. Mastroianni, owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the use of the subject lands for single family residential uses, for lands located west of Eleanor Avenue and south of Dulgaren Street and located at the rear of 102 Eleanor Avenue, as shown on the attached map marked as APPENDIX "E", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,
- (b) That the General Manager, Community Planning and Development Division be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-38C and E-38D for presentation to City Council; and,
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

6. ZAR-99-11, 199 Stone Church Road West

That approval be given to Zoning Application ZAR-99-11, by Alexander Furmanov owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District to permit the development of a single family dwelling, for lands located at 199 Stone Church Road West, as shown on the attached map marked as APPENDIX "F", on the following basis:

- (a) That the lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,
- (b) That the General Manager, Community Planning and Development Division be authorized and directed to prepare a By-law, in a form satisfactory to the Corporate Counsel, to amend Zoning By-law No. 6593, and Zoning District Map W-9C for presentation to City Council; and,
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

7. **ZA-99-22, South side of Loconder Drive between Upper Gage and Queen Victoria Drive**
- (a) That approval be given to Zoning Application ZAC-99-22, Hamilton Habitat for Humanity, owner, to remove the 'H' Holding provision and for a modification to the "R-4" (Small Lot Single Family Dwelling) District regulations for lands located on the south side of Loconder Drive between Upper Gage Avenue and Queen Victoria Drive, as shown on the attached map marked as APPENDIX "G", on the following basis:
- (i) That the subject lands be rezoned from "R-4" – 'H' (Small Lot Single Family Dwelling – Holding) District to "R-4" (Small Lot Single Family Dwelling) District;
- (ii) That the "R-4" (Small Lot Single Family Dwelling) District regulations, as contained in Section 9A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
- That notwithstanding Section 9A.(2)(b), a single family dwelling shall provide and maintain the following setbacks:
- (1) 4.4 metres from the northerly lot line;
- (2) 1.2 metres from the southerly lot line;
- (3) 6.0 metres from the westerly lot line;
- (4) 15.7 metres from the easterly lot line;
- (iii) That the Corporate Counsel be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49B for presentation to City Council; and,
- (iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That the Joint Meeting Session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee be requested to waive the following fees:
- (i) For the City of Hamilton: the existing above ground costs (including land costs for the road allowance) in the amount totalling \$21,409.63; and,

- (ii) For the Regional Municipality of Hamilton Wentworth: the amount of \$14,331 for the installation of the existing underground services, prior to the lifting of the 0.30 metre reserve, designated as Part 4, Plan 62R-13918.

8. Intent to designate Auchmar, 88 Fennell Avenue West under the Ontario Heritage Act

- (a) That approval be given to the Intent to Designate the former estate of the Hon. Isaac Buchanan, known as Auchmar, at 88 Fennell Avenue West, as a property of historical and architectural value, pursuant to the provisions of Part IV of the Ontario Heritage Act, 1997, as outlined in the Reasons for Designation attached hereto and marked as Appendix "H"; and,
- (b) That the Director of Legal Services and Corporate Counsel be authorized as directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1997. **DEFEATED.**

***This item was defeated at the Planning and Development Committee meeting of June 23, 1999.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Horwath, Copps, Charters. -4.

NAYS: Alderman Caplan, Corsini, Morelli, Haining, Wilson, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -11. **LOST.**

9. Intent to designate a portion of Auchmar, 88 Fennell Avenue West under the Ontario Heritage Act

- (a) That approval be given to the Intent to Designate a 3.55 acre portion of the former estate of the Hon. Isaac Buchanan, (as shown on the map attached hereto and marked as Appendix "I"), known as Auchmar, at 88 Fennell Avenue West, as a property of historical and architectural value, pursuant to the provisions of Part IV of the Ontario Heritage Act, 1997, as outlined in the Reasons for Designation attached hereto and marked as Appendix "J"; and,

- (b) That the Director of Legal Services and Corporate Counsel be authorized as directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1997; and,
- (c) That a Sub-Committee of Council be established consisting of Mayor Morrow, Alderman Caplan any other interested members of the Planning and Development Committee, to investigate all potential sources of financing (private and public) in order to preserve the balance of the property by July 15, 1999.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Alderman Charters -1.

CARRIED.

**10. Central Area Plan Implementation Committee
- Links Between Downtown and the Harbour**

That the Central Area Plan Implementation Committee (CAPIC) request the Planning and Development Committee to request appropriate standing committees of Council and staff to undertake a study of linkages between the Downtown and the Harbour, and report back on related improvements. The intent is to improve pedestrian and cyclist connections, especially along James and Bay Streets, and the east-west cross streets between them. This study would consist of:

- (a) James Street North – landscaping and signage improvements, and gateway treatments in the short term, without a detailed study; and,
- (b) Bay Street North – preparation of a plan for pedestrian, cycling and vehicular access, between Main Street and Bayfront Park; and,
- (c) East-West Streets between James and Bay Streets– provide better linkages to Bayfront Park, on both sides of CN Railway tracks, on east-west streets such as Strachan and Stuart Streets.

11. Community Improvement Plan to Promote Industrial and Commercial Redevelopment

That the General Manager of the Community Planning and Development Division be authorized and directed to prepare a Community Improvement Plan to promote the redevelopment of industrial and commercial properties in the City of Hamilton.

12. Funding for Tax Incentive Program for Downtown Commercial/Industrial Buildings Designated under the Ontario Heritage Act

That approval be given to funding the Tax Incentive Program for Designated Heritage Buildings in the Downtown with an upset budget limit of \$250,000 per year for ten years, subject to approval of the method of financing.

13. Demolition – 370 Upper Horning Road

That the Building Commissioner be authorized to issue a demolition permit for 370 Upper Horning Road in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

14. Demolition – 12 Nelson Street

That the Building Commissioner be authorized to issue a demolition permit for 12 Nelson Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

15. Revised Conditions of Draft Plan of Condominium Approval – CDM CONV 98-003 - 75 Glenburn Court

That the City's conditions of Draft Plan Approval in respect of the condominium proposed for the existing apartment building at 75 Glenburn Court adopted on 1998 June 30, (Item 23, 13th Report, Planning and Development Committee), attached hereto and marked Appendix "K", be amended as follows:

- (a) That clause 23(a)(i) be replaced with the following:

"That this approval apply to the attached draft condominium plan, as revised in red, which shows in addition to the existing building, a land dedication to the City for a future cul-de-sac at the easterly end of Glenburn Court. The cul-de-sac is laid out in accordance with City roadway standards. The revised draft plan dated 1998 March 16, prepared by Consoli & Jacobs Surveying Ltd., is attached as Appendix "L"; and,

- (b) That "clause 23(a)(viii)" be re-numbered as "clause 23(a)(xi)" in order that the four additional conditions of approval, listed below, may also be included in the approval resolution:

clause 23 (a) (viii)

"That to provide road access to the proposed condominium, the owner be required to dedicate to the City of Hamilton that portion of its land needed for a cul-de-sac at the end of Glenburn Court, subject to the owner retaining a right-of-way (in the dedicated land), as shown as Part 1 on the attached draft Reference Plan (Job No. 97-143R1) marked as Appendix "M", for vehicular and pedestrian access. The right-of-way retained by the owner shall continue until such time as additional land, also required for the cul-de-sac, is acquired, constructed and established as a highway.";

clause 23(a)(ix):

"That the owner of 75 Glenburn Court, (the applicant or the proposed Condominium Corporation, as the case may be), be required to assume the share of construction costs for the proposed Glenburn Court cul-de-sac attributable to its property, such costs to be paid to the City when all of the required land has been acquired and construction of the cul-de-sac is authorized by Council."; and,

clause 23(a)(x):

"That the owner of 75 Glenburn Court, (the applicant or the proposed Condominium Corporation, as the case may be), be required to obtain a permanent easement for vehicular access between 75 Glenburn Court and the City highway known as Glenburn Court. The applicant shall agree that such easement shall cease without compensation to the applicant when all of the land for the cul-de-sac has been acquired and construction of the cul-de-sac is authorized by Council. Further such easement shall be of a minimum size and terms satisfactory to the General Manager, Transportation, Operations & Engineering Division and to the Manager, Development Engineering Section."

16. "The Gardens of Rymal – Phase 5 and 6", Hamilton, (Cash Payment in Lieu of 5% Parkland Dedication)

That the City of Hamilton accept the sum of \$ 42,000.00 for The Gardens of Rymal – Phase 5 and \$35,650.00 for The Gardens of Rymal - Phase 6 as the payment in lieu of the 5% land dedication in connection with "Gardens of Rymal – Phase 5 and 6", Hamilton being the cash payment required under Section 51.1 of the Planning Act.

17. Part Lot Control Application 99-04, Samuel Guerriero, owner, to Remove Part-Lot Control – Block 19, Registered Plan 62M-829, "Eagleview Estates, Phase 1"

- (a) That approval be given to Part Lot Control Application 99-04, Samuel Guerriero, owner, to remove part-lot control for Block 19, located in "Eagleview Estates, Phase 1", Registered Plan 62M-829, to permit the subdivision of Block 19 into 4 blocks to be merged with the abutting lands for 4 lots for single detached dwellings, as shown on the attached map marked as APPENDIX "N";
- (b) That the General Manager, Community Planning and Development Division be authorized and directed to prepare a By-law to remove part lot control from Block 19, Registered Plan 62M-829, "Eagleview Estates, Phase 1" plan of subdivision, for presentation to City Council;
- (c) That the exempting by-law not be presented to City Council until such time as the following conditions have been fulfilled to the satisfaction of the General Manager, Community Planning and Development Division:
 - i) finalization of Zoning Application 99-13 for a modification to the established "C" (Urban Protected Residential, etc.) District and for change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for the lands known as 1487 Upper Sherman Avenue;
 - ii) the owner enter into a Modified Subdivision Agreement with the City of Hamilton for the purposes of lot grading and pay all outstanding servicing costs and any other requirements of the City of Hamilton;

- iii) the owner pay all outstanding property, road or servicing costs adjacent to Dalia Avenue adjacent to the lands being severed under Severance Applications B-99:31 and B-99:32; and,
- iv) that the owner agree in writing to merge Parts 2, 3, 4 and 5 with Parts 6, 7, 8 and 9, respectively, on the draft reference plan attached as APPENDIX "O";
- (d) That the exempting by-law be restricted to a 1 year effective time period to expire 1 year from the date of passage of the by-law; and,
- (e) That following the enactment of this by-law, the Commissioner, Regional Environment Department (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the by-law and endorse the same on the by-law.

18. Request for Revised Draft Plan of Condominium – 400 York Boulevard

- (a) That approval be given to Revised Condominium Application 25CDM-89003(R) "400 York Boulevard", 1210800 Ontario Limited (Luft Enterprises Inc.), owner, to establish a revised draft plan of condominium, for an existing building known municipally as 400 York Boulevard, as shown on the attached map marked as APPENDIX "P", subject to the following conditions:
 - (i) That this approval apply to the plan prepared by R. Avis Surveying Inc. and certified by R. Avis, O.L.S., dated July 31, 1998, showing a total of 33 apartment units;
 - (ii) That the applicant apply for, and receive final approval for a revision to the approved site plan for the subject lands (DA-88-138);
 - (iii) That final plan of condominium comply, in all respects, with the revised Site Plan for the subject lands;
 - (iv) That the applicant satisfy all conditions of site plan approval applicable to the subject lands to the satisfaction of the City of Hamilton, prior to registration of the Final Plan of Condominium;
 - (v) That the final plan conform with the applicable provisions of the City of Hamilton Zoning By-law No. 6593;

- (vi) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton as provided for under section 51 of the Planning Act;
 - (vii) That the Owner enter into an encroachment agreement, as required, with the Region of Hamilton-Wentworth for any existing facia and lighting fixtures which encroach into the York Boulevard road allowance, as widened;
 - (viii) That the Condominium Corporation be required to enter into and register on title the Agreement of the Condominium Corporation to assume and be bound by the Site Plan Agreement; and,
 - (ix) That the owner satisfy all conditions, financial or otherwise, of the City of Hamilton.
- (b) That the Municipal Clerk be directed to advise the Director, Land Development, Community Planning and Development Division of Council's decision.
- 19. Request for a further six month extension for the approval of Site Plan Control Application DA-95-21 for an addition to the existing development for St. Peter's Hospital, 88 Maplewood Avenue**
- That approval be given to the request by St. Peter's Hospital, owner, at 88 Maplewood Avenue, as shown on the attached map marked as Appendix "Q", for a further extension to the approval of Site Plan Control Application DA-95-21 to November 30, 1999, and that at the end of this period if a Building Permit has not been issued, the proposed development must be subject to a new Site Plan Control.
- 20. Community Heritage Trust Program – 256 MacNab Street North**
- That a loan under the Community Heritage Trust Fund Program in the amount of two thousand, eight hundred and sixty-one dollars (\$2,861) to Ms. Helen Kirkpatrick for improvements to 256 MacNab Street North, Hamilton, be approved, subject to the fulfillment of the requirements of the program.

21. Community Heritage Trust Program – 258 MacNab Street North

That a loan under the Community Heritage Trust Fund Program in the amount of two thousand, eight hundred and sixty-two dollars (\$2,862) to Mr. Thomas Baker for improvements to 258 MacNab Street North, Hamilton, be approved, subject to the fulfillment of the requirements of the program.

22. Downtown Convert/Renovate-to-Residential Loan Program & Core Heritage 2000 Program, 129 Rebecca Street

(a) That a loan under the Downtown Convert/Renovate-to-Residential Loan Program in the amount of two hundred and forty-five thousand, one hundred and forty dollars (\$245,140) to 1333664 Ontario Inc., (Mike Valvasori and Dave Valvasori), for conversion of 129 Rebecca Street into 19 residential units be approved, subject to the fulfillment of the borrowing requirements of the Downtown Convert/Renovate-to-Residential Loan Program.

(b) That a grant, for façade improvements, under the Core Heritage 2000 Program in the amount of twenty thousand, two hundred and ninety four (\$20,294) to 1333664 Ontario Inc., (Mike Valvasori and Dave Valvasori) of 129 Rebecca Street, be approved, subject to the fulfillment of the requirements of the Core Heritage 2000 Program.

23. Commercial Property Loan Improvement Program – Loan Increase, 415 Barton Street East

(a) That the original loan of fifteen thousand, nine hundred dollars (\$15,900) to Alcino Duarte, for improvements to 415 Barton Street East, be increased by six thousand, nine hundred and fifty dollars (\$6,950), totalling twenty-two thousand, eight hundred and fifty dollars (\$22,850), subject to the fulfillment of the borrowing requirements of the Commercial Property Improvement Loan Program.

(b) That a grant increase from the Barton Street Revitalization Fund in the amount of three thousand, four hundred and seventy-five dollars (\$3,475) be utilized to pay-down this loan increase as per the terms of the Barton Street Revitalization Program.

24. Nomination for Ontario Heritage Foundation's Annual Heritage Community Recognition Award

That Rev. Dr. T. Melville Bailey be nominated as the City of Hamilton's nominee for the 1999 Ontario Heritage Foundation's Heritage Community Recognition Award in recognition of his commitment and achievements in the areas of research/documentation and advocacy for the preservation of Hamilton's cultural and built heritage.

**25. Cash-in-Lieu of Parking - 1208 Main Street East
(99.2.4.2.1.A, 99.4.2.1.A)(PDC99033)**

- (a) That in accordance with the Cash-in-Lieu of Parking policy, that Dr. D. A. Gordon be required to pay to the City of Hamilton the sum of \$11,375, which is 50% of the cost of five (5) parking spaces at a total cost of \$22,750; and,
- (b) That a Cash-in-Lieu Agreement be approved subject to the following conditions:
 - (i) Payment duration shall be for ten years with ten annual installments; and,
 - (ii) Interest shall be charged on the outstanding balance at the prime rate of the CIBC, plus 2% adjusted quarterly in accordance with the policy for charging interest on outstanding accounts; and,
- (c) That Corporate Services Division be authorized and directed to prepare the Cash-in-Lieu agreement.

26. Lister Block/Federal Government Services Building Application to the Tax Incentive Program

- (a) That the application to the City by LIUNA and Canderel-Stoneridge Equity Group Inc. for a grant to be applied to the owner's costs of rehabilitating the historic designated Lister Block Building in conformity with the Downtown Community Improvement Plan, (submitted pursuant to the proposed Tax Incentive portion of the said Plan) be approved subject to the following conditions:
 - (i) the grant shall be paid annually for a ten year period and the amount of the annual grant shall be the lesser of:

- (1) the annual sum of \$200,000 or,
AMENDED.
 - (2) the Assessment Office's opinion of the increase during the first taxation year following the restoration work, in the City/Regional portion of realty taxes attributable to the increase in the assessed value as a result of improvements to the property or,
 - (3) one tenth of the total cost of work related to the historic features, including soft costs; and,
- (ii) the grant shall be conditional upon the Lister Block Building's exterior historic features being restored in accordance with Design Guidelines approved by Council; and,
 - (iii) the annual grant shall be paid to the then registered owner of the property with the first grant being paid during the calendar year following completion of the restoration of the historic features of the Lister Block Building; the current registered owner of the property is a corporation named "Laborer's Union Local 837 Health and Welfare Plan"; and,
- (b) That the grant authorized in clause (a) above be conditional upon:
- (i) Council passing a by-law to amend the Downtown Community Improvement Plan to include the proposed Tax Incentive Program, in accordance with the notice and public meeting process prescribed in the Planning Act; and,
 - (ii) The approval of the Minister of Municipal Affairs to the By-law for the said Tax Incentive amendment to the Community Improvement Plan, including the bonusing aspect of such amendment; and,
 - (c) That as requested by LIUNA in respect of its bid for the proposed Federal Government Services Building at this location, the City now enter into an Agreement with LIUNA, the Laborer's Union Local 837 Health and Welfare Plan, and Canderel-Stoneridge Equity Group Inc. to agree to make the said annual grant subject to the terms and conditions outlined above, the applicable terms of the proposed Tax Incentive Program and such related terms as the General Manager, Community Planning and Development may require, such agreement to be in a form satisfactory to the Corporate Counsel; and,

- (d) That clauses (a), (b) and (c) above are conditional on Council approval of funding for the proposed Tax Incentive Program.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Alderman Copps -1.

CARRIED.

27. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

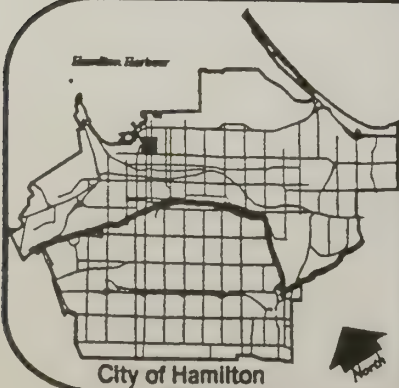
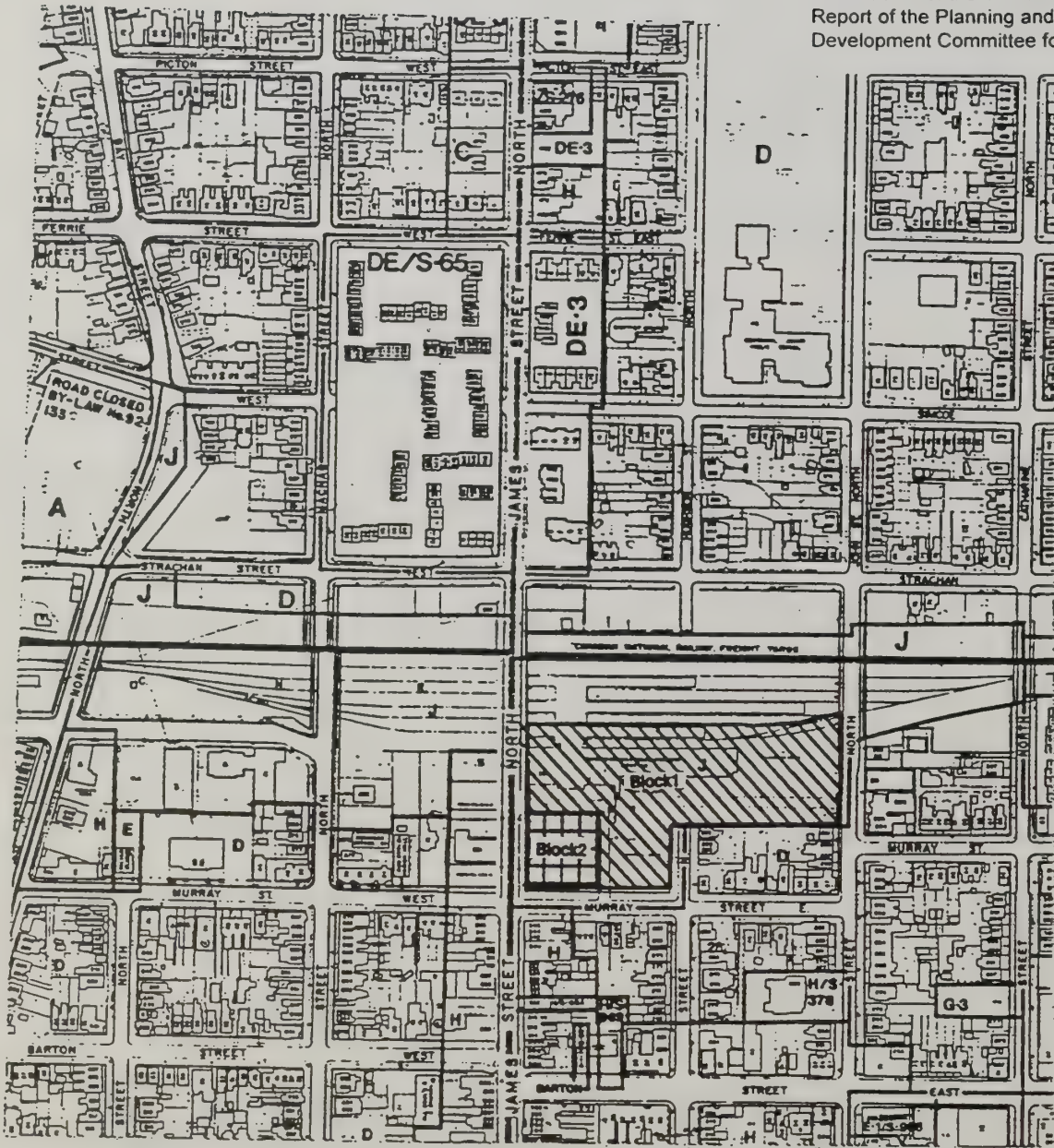
- (a) C-33 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal Nos. 803,819,823,865 and 871 West 5th Street.
- (b) C-34 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at the Northeast Corner of Rexford Drive and Robertsford Drive.
- (c) C-35 A By-law to Amend Zoning By-law No. 6593 As amended by Zoning By-law No. 98-210 Respecting Lands Located at Municipal Nos. 1062 and 1088 Upper Paradise Road.
- (d) C-36 A By-law to Establish Tariff of Planning Fees and to Repeal By-laws No. 97-084 and 98-284.

Respectfully submitted,

**ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

**Tina Agnello, Secretary
June 23, 1999**

Appendix "A" referred to
In Section 1 of the Thirteenth
Report of the Planning and
Development Committee for 1999



PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend



Block 1 Change in Zoning :
From: "J" (Light and Limited Heavy Industrial)
District to "H" - "H" (Commercial - Holding)
District



Block 2 From: "J" (Light and Limited Heavy Industrial)
District to "A" (Conservation, Open Space, Park
and Recreation) District

Reference file:

ZAC-99-09

Scale

Not to Scale

Date

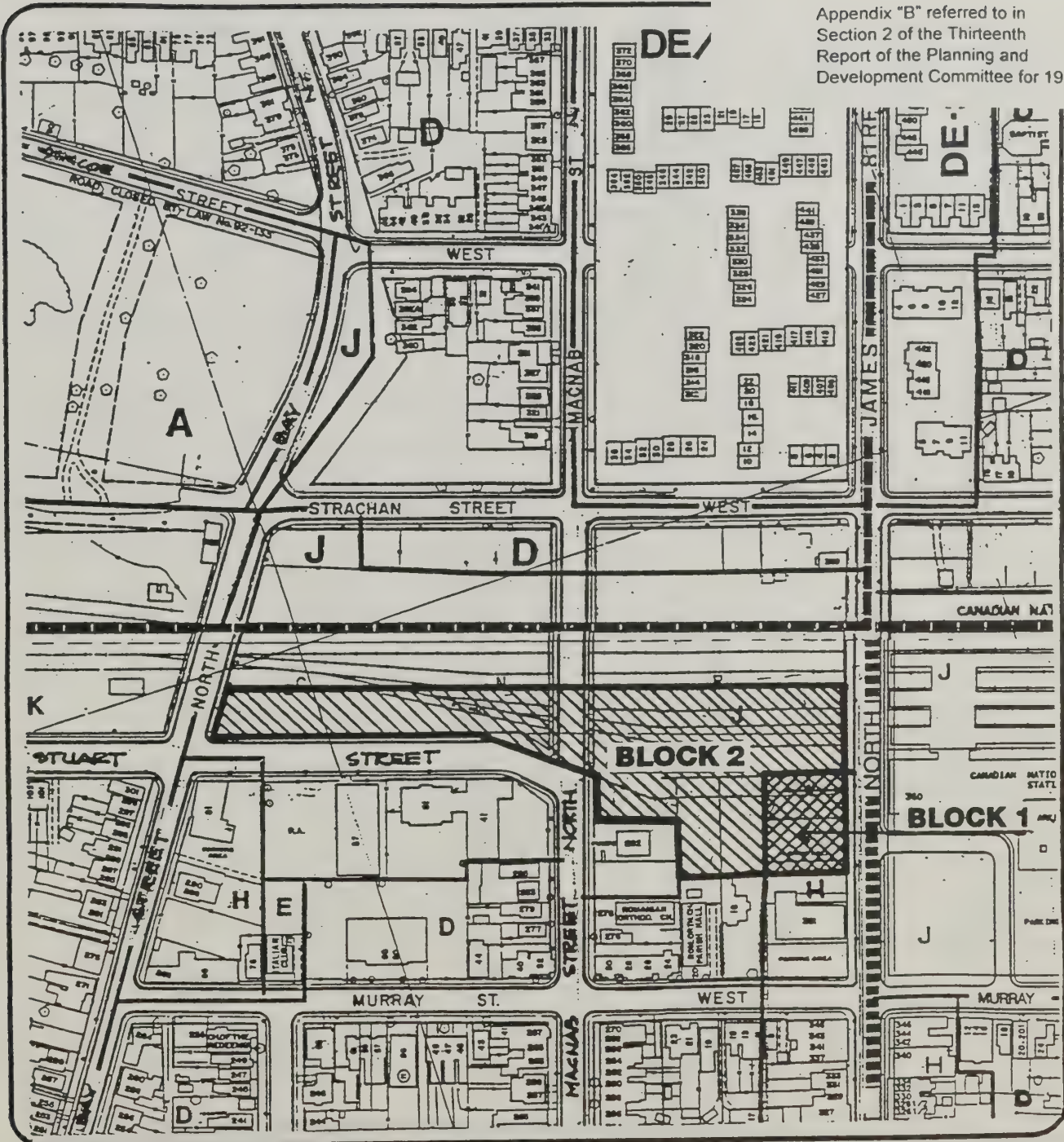
MAY 1999

Technician:

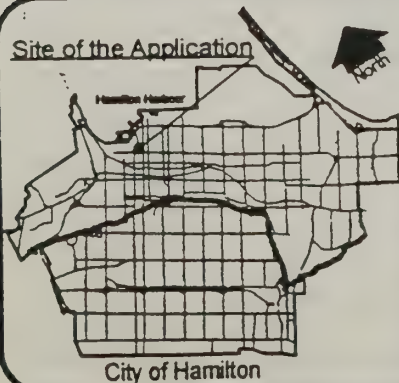
FAB

APPENDIX A

Appendix "B" referred to in
Section 2 of the Thirteenth
Report of the Planning and
Development Committee for 1999



Site of the Application



City of Hamilton

PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend

Change in Zoning from:

BLOCK 1

"H" (Community Shopping and Commercial, etc.)
District to "G-3"-H' (Public Parking Lots-Holding)
District

BLOCK 2

"J" (Light and Limited Heavy Industry, etc.) District
to "G-3"-H' (Public Parking Lots-Holding) District

Reference file:

ZAC-99-10

Scale

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Date

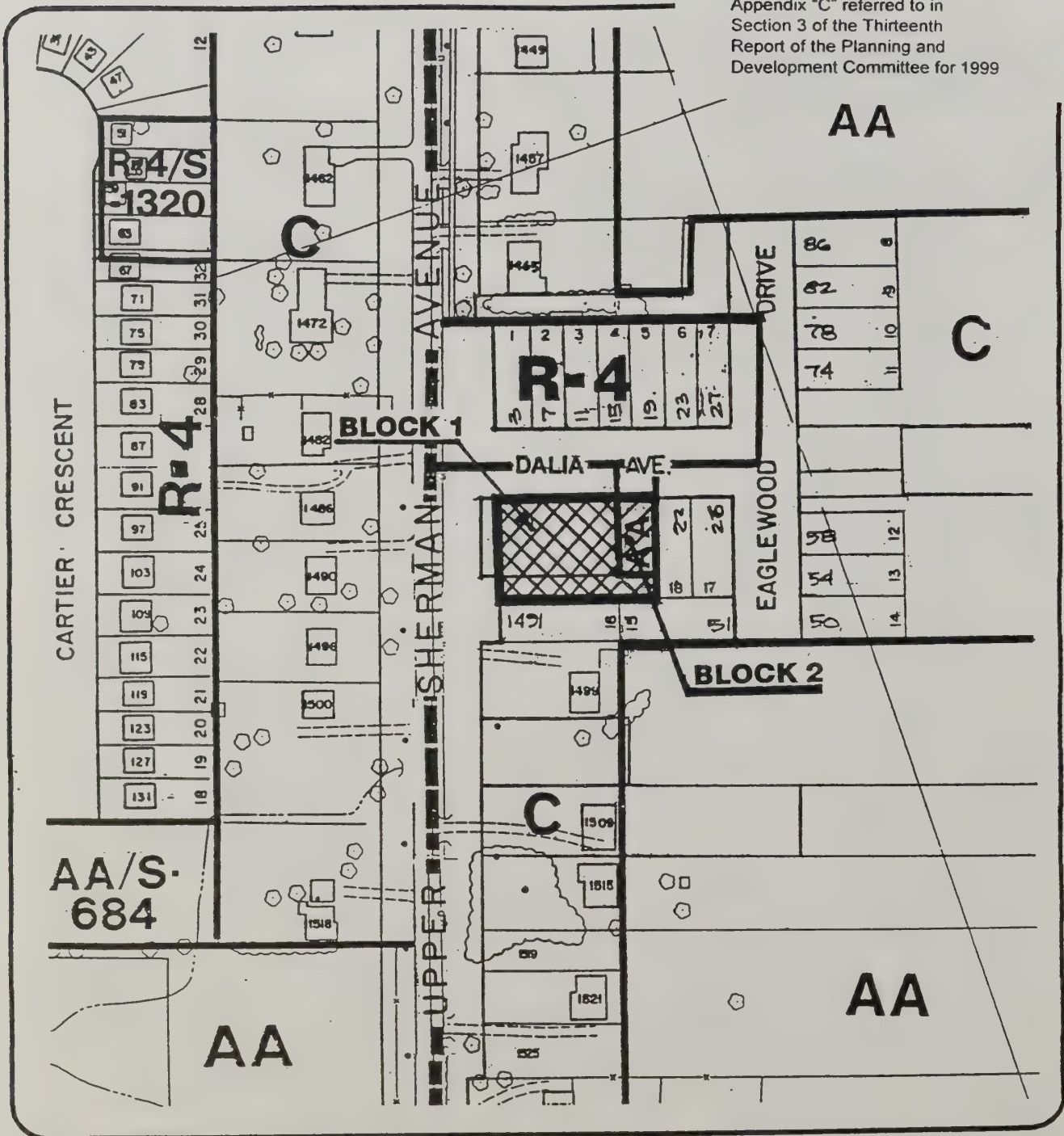
May, 1999

Technician:

B. B.

APPENDIX 'A'

Appendix "C" referred to in
Section 3 of the Thirteenth
Report of the Planning and
Development Committee for 1999



Site of the Application



PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend

BLOCK 1

Modification to the "C" (Urban Protected Residential, etc.) District

BLOCK 2

Change in Zoning from:

"AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, Modified

Reference file:

ZAR-99-13

Scale

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Date

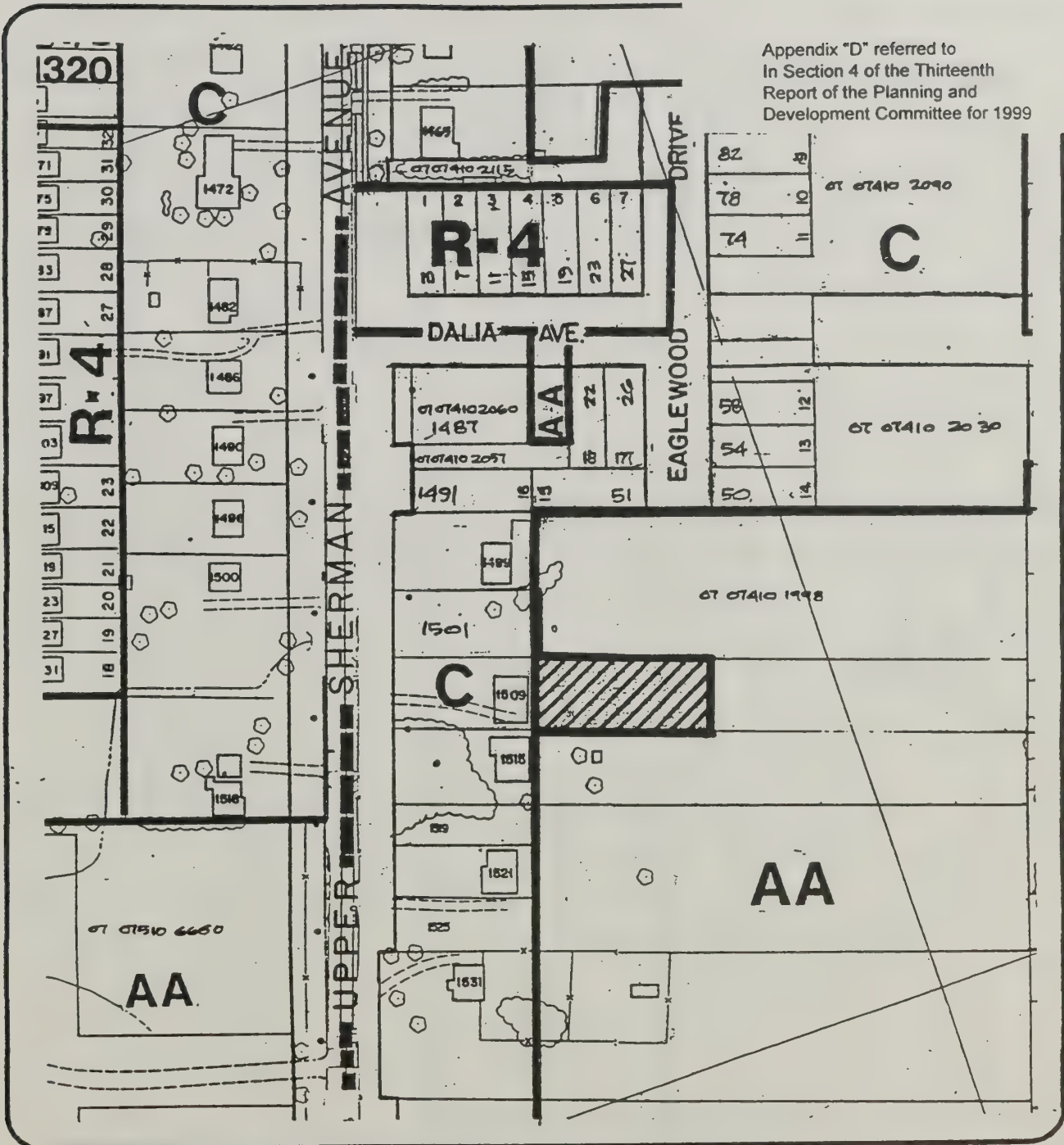
April, 1999

Technician:

B. B.

APPENDIX 'A'

Appendix "D" referred to
In Section 4 of the Thirteenth
Report of the Planning and
Development Committee for 1999



Site of the Application



City of Hamilton

PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend



Subject Lands

Reference file:

ZAC-99-12

Scale

Not to Scale

Date

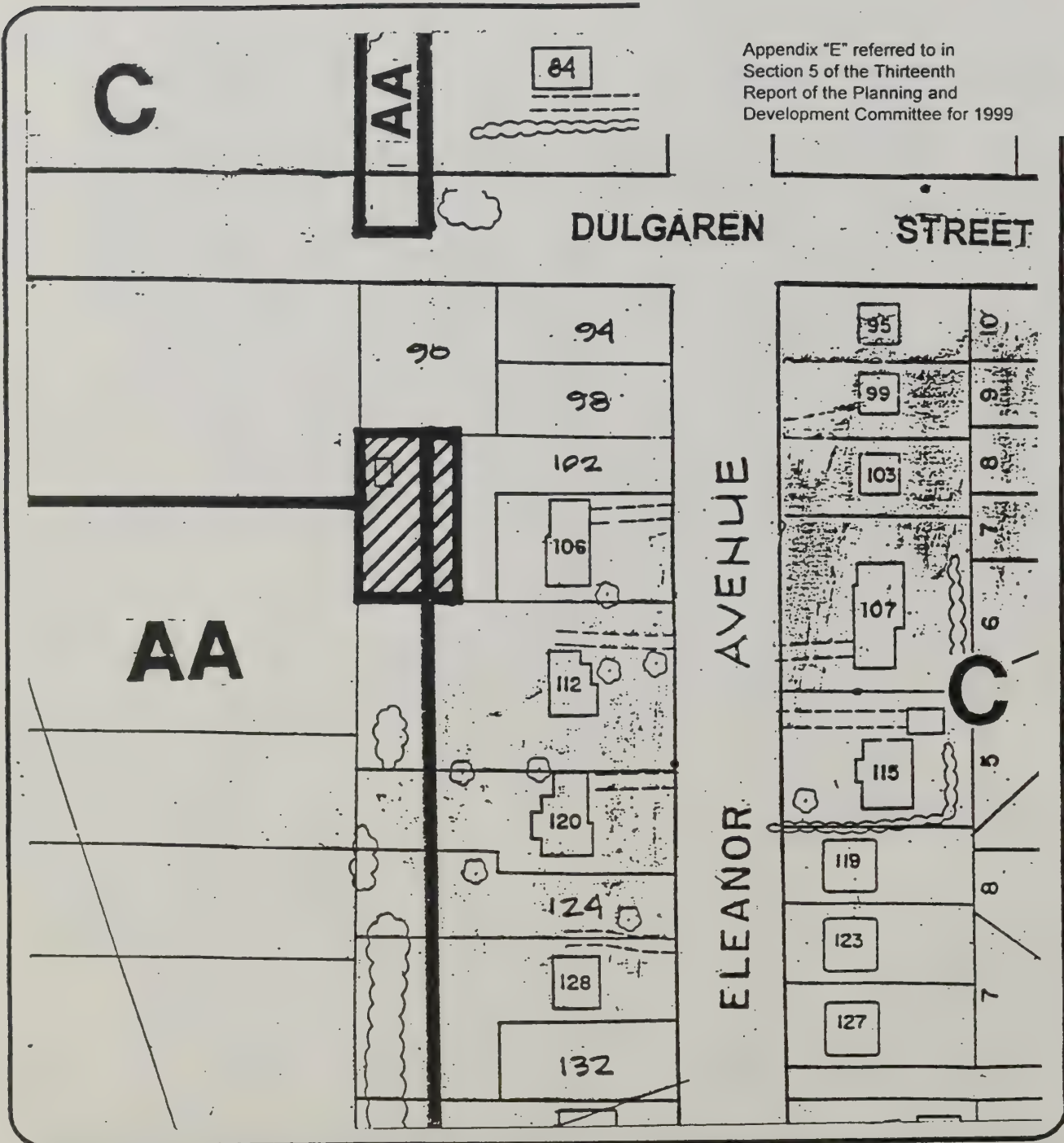
April, 1999

Technician:

B. B.

APPENDIX 'A'

Appendix "E" referred to in
Section 5 of the Thirteenth
Report of the Planning and
Development Committee for 1999



Site of the Application



City of Hamilton

PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend

Change in Zoning from:



"AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District

Reference file:

ZAR-99-15

Scale

Not to Scale

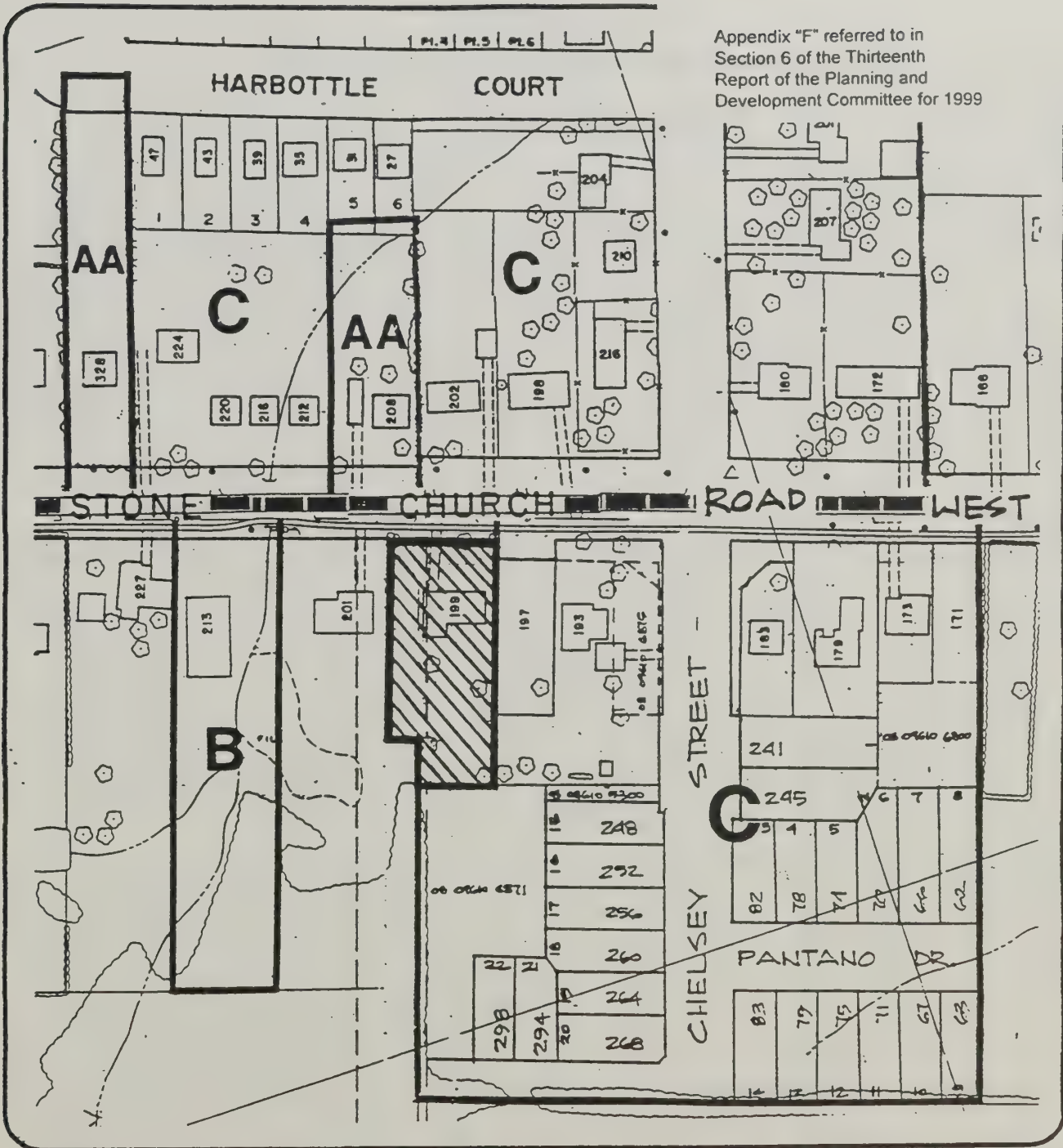
Date

May, 1999

Technician:

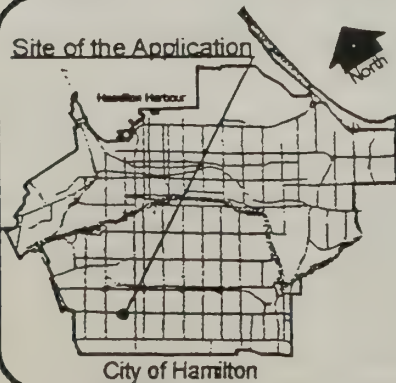
B. B.

APPENDIX 'A'



Appendix "F" referred to in Section 6 of the Thirteenth Report of the Planning and Development Committee for 1999

Site of the Application



City of Hamilton

PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend



Site of the Application

Reference file:

ZAR-89-11

Scale:

Not to Scale

Date:

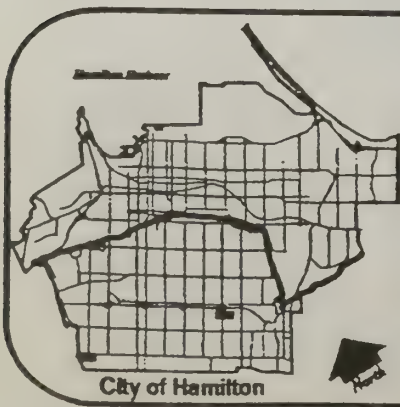
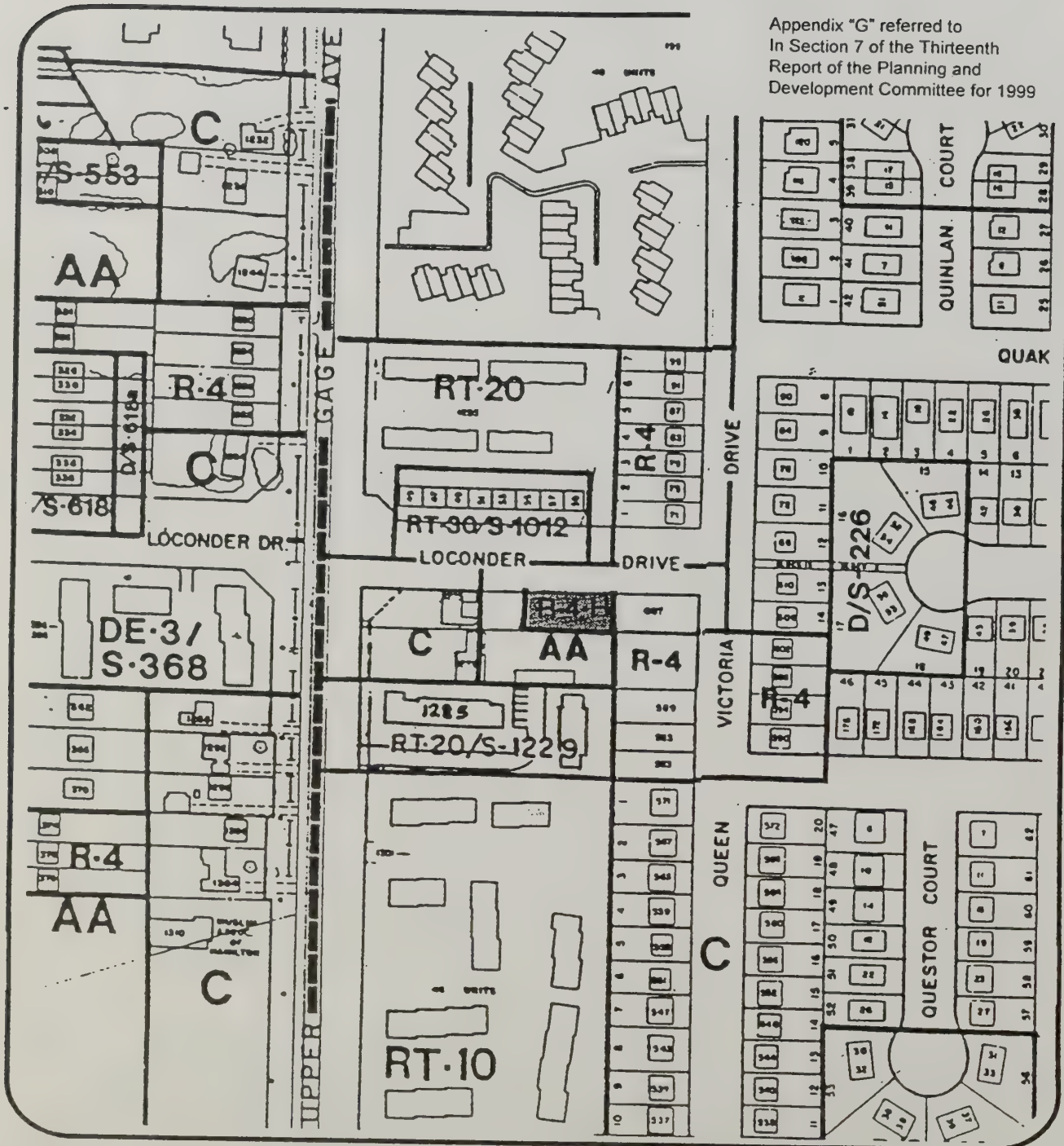
March, 1999

Technician:

B. B.

APPENDIX 'A'

Appendix "G" referred to
In Section 7 of the Thirteenth
Report of the Planning and
Development Committee for 1999



PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend



REMOVAL OF HOLDING PROVISIONS
FROM "R-4"-H (SMALL LOT SINGLE
FAMILY DETACHED HOLDING) DISTRICT
TO "R-4" (SMALL LOT SINGLE FAMILY
DETACHED) DISTRICT, MODIFIED
560

Reference file:
ZAC-99-22

Scale
Not to Scale

Date
MAY 1999

Technician:
FAB

APPENDIX A

Auchmar **88 Fennell Avenue West, Hamilton**

REASONS FOR DESIGNATION

Appendix "H" referred to in
Section 8 of the Thirteenth
Report of the Planning and
Development Committee for 1999

In 1852, Scotsman Isaac Buchanan, purchased property on the west mountain for an estate worthy of a successful wholesale merchant, civic leader, and aspiring political figure in the United Provinces of Canada. In 1855, he began building his country manor on lands totalling eighty-six acres. The entire property he named Claremont Park; the walled and landscaped portion he called Auchmar after his family's vast estate on Loch Lomond. This walled estate, consisting of approximately 9.6 acres, is located at the north-east corner of Fennell Avenue West and West Fifth Street.

1850's Country Estate in Hamilton

In Upper Canada during the pre-Confederation era, it was the fashion for wealthy gentlemen to leave their mark on the new country by building magnificent country estates. For over a century Hamilton was distinguished for its legacy of elegant country villas dating from this period, most of which have been lost with the city's expansion. Auchmar is one of only two such estates on Hamilton mountain to survive intact; the other being Chedoke on the escarpment brow.

In some ways, The Honourable Isaac Buchanan's country estate of Auchmar may be considered a sequel to Sir Allan MacNab's estate of Dundurn. Built twenty years later, on the mountain instead of the bay and in a later architectural style, Auchmar shares many of the same planning and design features found at Dundurn.

Essentially, both properties are modelled after the gentleman's country estate of Britain. Like Dundurn, the entrance to Auchmar was heralded by a gate-lodge, located on its northern-most boundary at the escarpment brow (still existing at 71 Claremont Drive). For the requisite scenic approach to the grounds, Auchmar's driveway was designed as a .5 kilometre treed allee (following today's streets of Arcade and Glenwood Crescents) passing through an arched entranceway (now closed) into Buchanan's secluded private grounds. The treed allee continued southwards towards the main focal point, Buchanan's manor house, a home with presence and dignity, enhanced by landscaped gardens. The drive proceeded to circle around to the south entrance facade of the house, designed as a perfect mirror image of the north garden face.

Buchanan's complex includes additional structures typical of a gentleman's estate: a carriage house, two arched passageways, high garden walls, and a square, two-storey dovecote, all constructed in stone. The first stone wall swings north-east from the archway at the carriage house around to the dovecote, creating a sizeable, south-facing walled garden. A second high stone wall extends along the east border of the property and partially across its north boundary, designed to provide privacy and a shelter for Buchanan's original orchard. Most of this orchard wall still exists as do a number of apple trees believed to be remnants from his original planting.

A third low stone wall runs along the south border of the property at Fennell Avenue.

- 2 -

Today, this historic enclave, although little known to the outside community, represents a rare and significant cultural heritage landscape, dating from one of Hamilton's most illustrious building periods. In 1970, Buchanan's Auchmar and its gatehouse Claremont Lodge were recognized and plaqued as a property of Provincial significance.

Picturesque Cultural Landscape

Like Dundurn, Auchmar survives today as a rare and outstanding example of a mid-nineteenth century Picturesque country estate, complete with manor house, outbuildings and landscape features. With its built and natural features integrated into a comprehensive design, Auchmar fully upholds the principles of the Picturesque: its setting is secluded and wooded; its structures and landscaping display an interest in movement and variety; and the choice of design capitalises on the play of light and shadow. The verandahs and terraces (now gone) once served to extend interior space outdoors into the garden, another key component of the Picturesque.

The architect of Auchmar is to date unknown; the landscape design is attributed to George Laing, a British landscape architect responsible for gardens at Dundurn Castle and Rock Castle in Hamilton, and Woodend in Ancaster (presently the HRCA headquarters).

Gothic Revival Style

The manor house of Auchmar is considered to be an excellent, full-blown example of the Gothic Revival style in Upper Canada, characterised by the use of such features as multiple gables, bargeboard decoration, pointed arched windows, bay windows and clustered chimney stacks. The lively and intricate detailing of the Gothic style enhances the Picturesque effect of the whole.

By comparison to the more formal Gothic mansions in Hamilton, like Inglewood and Rock Castle, Auchmar takes the more informal, playful aspects of the Gothic Revival and expands them to the grand scale of a country mansion. Unusual, too, is its interior layout based on a Roman cross plan with the central hallway running the width of the house flanked by staircases at each end. Designing identical front and garden facades, likewise, provided an inventive solution to creating equally important facades: the approach (north) side and the formal entry (south) side.

The Gothic Revival style was also successfully integrated throughout the estate. The interior of the manor house shows gothic detailing in the rib vaulting of the hallway, pointed arched doors, decorative wooden shutters, plaster ceiling, fireplaces, etc. Gothic detailing also appears on all the outbuildings—in the matching diminutive gatehouse, in the carriage house's bargeboard and pinnacles; in the dovecote's bargeboard, cupola and traceried pigeon holes; and in the latticed garden pagoda (now gone).

The Honourable Isaac Buchanan

The Honourable Isaac Buchanan (1810-1883) was a man of many achievements—in business, politics and church affairs. He became one of the country's leading wholesale merchants and together with several other businesses established Hamilton as an important wholesale distribution centre. Buchanan was one of Hamilton's major civic leaders from the 1850's to the 1870's, as a promoter of the railway and as a prominent figure in local politics and the Scottish Presbyterian community. He was also an influential figure in the politics of the United Provinces of Canada.

As Entrepreneur

Isaac Buchanan began his mercantile career in Glasgow as an apprentice with the trading firm, William Guild & Co. and moved to Montreal in 1830. By 1834, Isaac and his older brother Peter were able to establish their own firm, Peter Buchanan and Company, based in Glasgow. In 1840, the wholesale dry goods and groceries firm of Buchanan, Harris and Company was established in Hamilton, with a branch office in Montreal. With Isaac's fearless opportunism and his partners' managerial skills, the Buchanan enterprise expanded rapidly, becoming one of the largest and most profitable wholesale businesses in Upper and Lower Canada. Isaac Buchanan played an instrumental role in the formation of boards of trade, becoming first president of the Toronto Board and later the Hamilton Board (formed in 1864).

As Politician

Throughout his life Isaac Buchanan was passionately engaged in politics. In the early 1840's, he served as representative for Toronto in the first Legislative Assembly of the Province of Canada. He later served several terms as Hamilton representative (between 1857 and 1867) and was also appointed president of the Executive Council in the 1864 Tache Macdonald administration. He also deserves much of the credit, along with Sir Allan MacNab, for bringing the Great Western Railway to Hamilton.

As Religious Leader

As a man of religion, Buchanan gave liberally in time and wealth to Presbyterian causes and churches across the country. He was strongly committed to promoting the Knox "free" church, donating to the building fund for the first Knox Church in Hamilton (1845) and later bearing the major cost of erecting the MacNab Street Church (1856).

History of Site

The Mountain estate of Isaac and Agnes Buchanan, with its spacious villa and landscaped grounds, provided a fitting setting to raise their large family, entertain dignitaries, and hold church and political functions. Unfortunately, their enjoyment of Auchmar was relatively short-lived. Isaac's increasingly speculative and unprofitable business ventures forced him to begin selling off portions of his landholdings as early as 1862. In 1873, a large parcel to the west was sold for the construction of the Hamilton Asylum for the Insane and the remainder of his property, including Auchmar, was sold the following year to pay his creditors.

- 4 -

After 1874, Auchmar and the remainder of Buchanan's property changed ownership a number of times and continued to be subdivided. Around the turn-of-the-century, Auchmar was owned and occupied by Captain Alfred Trigge and his family. The estate was then acquired by Elsie Buchanan, the youngest daughter of Isaac and Agnes, who in turn sold it to Alan Vernon Young in 1926. During World War II, Auchmar served as a convalescent hospital for the R.C.A.F. The 33-acre property was further subdivided before the remaining portion was sold in 1945 to the Sisters of Social Service, a Roman Catholic order originating in Budapest, Hungary. The Sisters acquired the original building complex and surrounding landscaped grounds (9.6 acres in size) with the intent of opening a novitiate for women studying to become members of the order. The original villa was enlarged in 1963 by the addition of a large rear wing (with a chapel and conference centre) to serve as a retreat house. In recent years, the Sisters have lived in the smaller modernized carriage house.

Significant Features

Many remnants still exist from the layout of Buchanan's original estate but only those features on the present-day Auchmar property are included in the designation.

The features important to the preservation of Auchmar include but are not limited to the following: built and natural landscape features: the manor house, carriage house, dovecote, garden walls (four), treed allee, orchard, walled garden and park-like setting with its open space and mature trees.

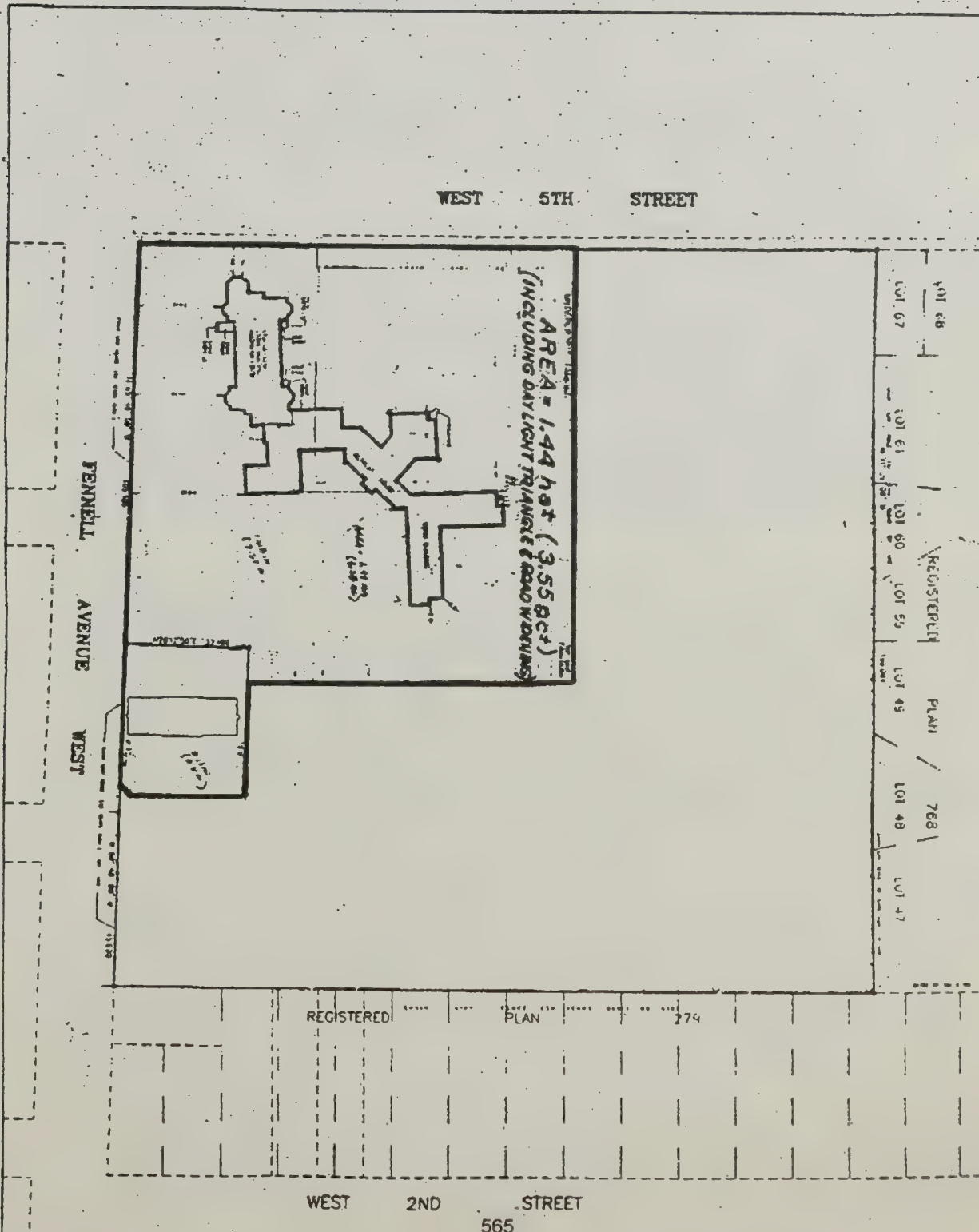
Significant features of the manor house include but are not limited to the following: all four original exterior facades—walls, gables, dormers, clustered chimney stacks, all original windows including the castellated bay windows, doors, mouldings, decorative bargeboard, pinnacles/pendants and brackets. Included also on the interior are the first and second storey hallways and vaulting, the staircases, and the original walls, doors, windows, shutters, fireplaces, wood and plaster mouldings, and wood panelling.

Significant features include the exterior facades of the carriage house—original stone walls, gables and dormers, and pinnacles; of the dovecote—the original stone walls, gables, bargeboard, traceried pigeon holes; the original stone garden walls with coping stones, openings and gates; and foundation remnants near the wooded area.

Excluded from designation are the later additions to the manor house, the garage and the Holy Spirit Retreat Centre.

June 29, 1999

Appendix "I" referred to in
Section 9 of the Thirteenth
Report of the Planning and
Development Committee for 1999



SCHEDULE "A"

AUCHMAR

88 Fennell Avenue West, Hamilton

REASONS FOR DESIGNATION

In 1852, Scotsman Isaac Buchanan purchased property on the west mountain for an estate worthy of a successful wholesale merchant, civic leader, and aspiring political figure in the United Provinces of Canada. In 1855, he began building his country manor on lands totalling eighty-six acres. The entire property he named Claremont Park; the walled and landscaped portion he called Auchmar after his family's vast estate on Loch Lomond. The surviving property, consisting of approximately 3.55 acres, is located at the north-east corner of Fennell Avenue West and West Fifth Street.

1850's Country Estate in Hamilton

In Upper Canada during the pre-Confederation era, it was the fashion for wealthy gentlemen to leave their mark on the new country by building magnificent country estates. For over a century Hamilton was distinguished for its legacy of elegant country villas dating from this period, most of which have been lost to the city's expansion. Auchmar is one of only two historic villas on Hamilton mountain to survive intact; the other being Chedoke on the escarpment brow.

The Honourable Isaac Buchanan's country estate of Auchmar may be considered a sequel to Sir Allan MacNab's estate of Dundurn in many respects. Built twenty years later, on the mountain instead of the bay and in a later architectural style, Auchmar originally shared many of the same planning and design features found at Dundurn.

Essentially, both properties were modelled after the gentleman's country estate of Britain. Like Dundurn, the entrance to Auchmar was heralded by a gate-lodge, located on its northern-most boundary at the escarpment brow (still existing at 71 Claremont Drive). For the requisite scenic approach to the grounds, Auchmar's driveway was designed as a .5 kilometre treed allee (following today's streets of Arcade and Glenwood Crescents) passing through an arched entranceway (now closed) into Buchanan's secluded private grounds. The treed allee continued southwards towards the main focal point, Buchanan's manor house, a substantial, high-styled home surrounded by landscaped gardens. The drive proceeded to circle around to the south entrance facade of the house, designed as a mirror image of the north garden face.

The present-day (3.55 acre) historic property features the manor house and several additional structures typical of a gentleman's estate: a carriage house, an arched passageway, a square, two-storey dovecote (intended to be moved onto this property), and a low wall at the south border of the property, all constructed in stone.

In 1970, Buchanan's Auchmar and its gatehouse Claremont Lodge were recognized and plaqued as a property of Provincial significance.

Gothic Revival Style

The manor house of Auchmar is considered to be an excellent, full-blown example of the Gothic Revival style in Upper Canada, characterised by the use of such features as multiple gables, bargeboard decoration, pointed arched windows, bay windows and

clustered chimney stacks. The lively and intricate detailing of the Gothic style enhances the Picturesque effect of the whole.

By comparison to the more formal Gothic mansions in Hamilton, like Inglewood and Rock Castle, Auchmar uses the informal, playful aspects of the Gothic Revival and expands them to the grand scale of a country mansion. Unusual, too, is its interior layout based on a Roman cross plan with the central hallway running the width of the house; flanked by staircases at each end. Similarly inventive was the use of identical front and garden facades to give equal importance to the approach by driveway from the north and to the formal entry into the house from the south.

The Gothic Revival style was also successfully integrated throughout the estate. The interior of the manor house shows gothic detailing in the rib vaulting of the hallway, pointed arched doors, decorative wooden shutters, plaster ceiling, fireplaces, etc. Gothic detailing also appears on the outbuildings--in the matching diminutive gatehouse (71 Claremont Drive), in the carriage house's bargeboard and pinnacles; in the dovecote's bargeboard and traceried pigeon holes; and in the latticed garden pagoda (now gone).

The Honourable Isaac Buchanan

Original owner of the estate, The Honourable Isaac Buchanan (1810-1883), was a man of many achievements--in business, politics and church affairs. He became one of the country's leading wholesale merchants and together with several other businesses established Hamilton as an important wholesale distribution centre. Buchanan was one of Hamilton's major civic leaders from the 1850's to the 1870's, as a promoter of the railway and as a prominent figure in local politics and the Scottish Presbyterian community. He was also an influential figure in the politics of the United Provinces of Canada.

As Entrepreneur

Isaac Buchanan began his mercantile career in Glasgow as an apprentice with the trading firm, William Guild & Co. and moved to Montreal in 1830. By 1834, Isaac and his older brother Peter were able to establish their own firm, Peter Buchanan and Company, based in Glasgow. In 1840, the wholesale dry goods and groceries firm of Buchanan, Harris and Company was established in Hamilton, with a branch office in Montreal. With Isaac's fearless opportunism and his partners' managerial skills, the Buchanan enterprise expanded rapidly, becoming one of the largest and most profitable wholesale businesses in Upper and Lower Canada. Isaac Buchanan played an instrumental role in the formation of boards of trade, becoming first president of the Toronto Board and later the Hamilton Board (formed in 1864).

As Politician

Throughout his life Isaac Buchanan was passionately engaged in politics. In the early 1840's, he served as representative for Toronto in the first Legislative Assembly of the Province of Canada. He later served several terms as Hamilton representative (between 1857 and 1867) and was also appointed president of the Executive Council in the 1864 Tache Macdonald administration. He also deserves much of the credit, along with Sir Allan MacNab, for bringing the Great Western Railway to Hamilton.

As Religious Leader

As a man of religion, Buchanan gave liberally in time and wealth to Presbyterian causes and churches across the country. He was strongly committed to promoting the Knox "free" church, donating to the building fund for the first Knox Church in Hamilton (1845) and later bearing the major cost of erecting the MacNab Street Church (1856).

History of Site

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Significant Features

Many remnants still exist from the layout of Buchanan's original estate but only those features on the present-day Auchmar (3.55 acre) property are included in the designation.

The features important to the preservation of Auchmar include but are not limited to the following built and natural landscape features: the manor house, carriage house with its arched entranceway, the dovecote(intended to be moved to this property), and its open space and mature trees.

Significant features of the manor house include but are not limited to the following: all four original exterior facades--walls, gables, dormers, clustered chimney stacks, all original windows including the castellated bay windows, doors, mouldings, decorative bargeboard, pinnacles/pendants and brackets. Included also on the interior are the first and second storey hallways and vaulting, the staircases, and the original walls, doors, windows, shutters, fireplaces, wood and plaster mouldings, and wood panelling.

Significant features of the carriage house include the exterior facades--original stone walls, gables,dormers, and pinnacles—with its arched stone entranceway; and significant features of the dovecote include the exterior facades--the original stone walls, gables, bargeboard, traceried pigeon holes and cupola (since removed).

June 29, 1999

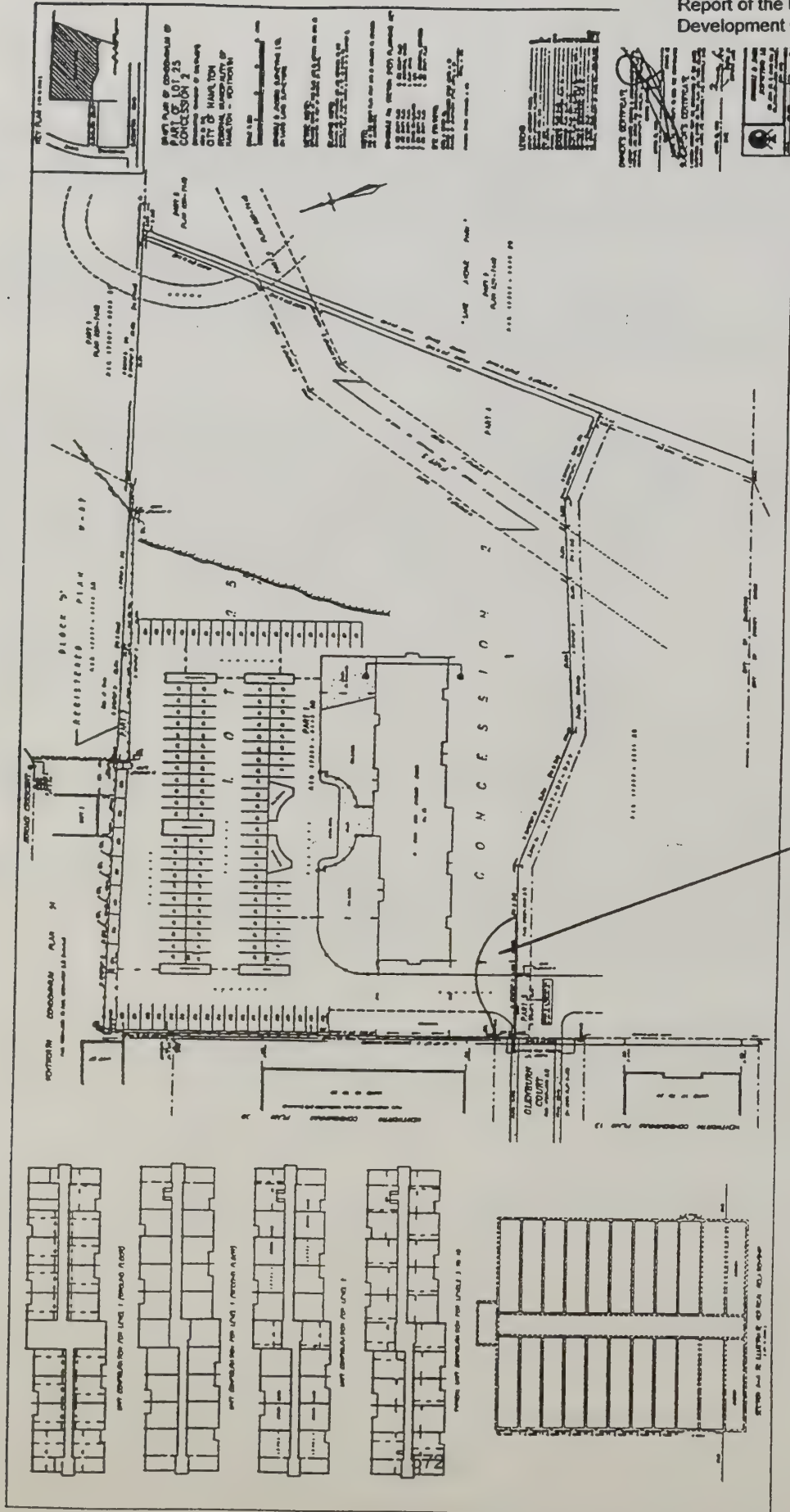
Excluded from designation are the later additions to the manor house, the garage and the Holy Spirit Retreat Centre.

23. (a) That approval be granted to application CDM-CONV-98-003 submitted by 822938 Ontario Inc., In trust (Bruno Megna), owner, for a draft plan of condominium for property located at No. 75 Glenburn Court, as shown on the attached map marked as Appendix "R", to provide for a condominium comprised of 108 individual apartment condominium units, subject to the following conditions:
- (i) That this approval applies to the attached draft plan dated 1998 March 16, attached as Appendix "S", prepared by Consoli & Jacobs Surveying Ltd.; and,
 - (ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to the City Solicitor; and,
 - (iii) That prior to approval of the final plan:
 - (1) property taxes shall be in good standing, plan of condominium shall conform with General Zoning By-law No. 6593 and the Official Plan, and
 - (2) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593; and,
 - (iv) That the owner shall have received the Certificate of Approval from the City of Hamilton pursuant to the Rental Housing Protection Act for the conversion of the rental property to a condominium (Application CD-97-005); and,
 - (v) That the owner shall have satisfied the following conditions of Committee of Adjustment decision A-97:183:
 - (1) The provision of a 1.32m (4.33') planting strip along the westerly lot line of the parking area; and,

- (2) the provision and maintenance of a chain link fence at least 5' in height along the full length of the easterly property line (ravine edge).
- (vi) That the owner, 822938 Ontario Inc., enter into an Encroachment Agreement with the City of Hamilton, to the satisfaction of the Roads Department;
- (vii) That the owner shall have satisfied all requirements, financial and otherwise of the Regional Municipality of Hamilton-Wentworth and that the City be advised by the Regional Municipality of Hamilton-Wentworth that this condition has been carried out to its satisfaction. The clearance letter from the Regional Municipality shall include a brief statement for each condition detailing how it has been satisfied and carried out; and,
- (viii) That the Director of Planning and Development shall have been satisfied that the conditions of approval are fulfilled or provided for as required.
- (b) That the Mayor and the City Clerk be authorized to grant draft approval by signing the draft plan; and,
- (c) That the Mayor and City Clerk be authorized to sign the final plan of condominium once the requirements herein are completed.

June 29, 1999

Appendix "L" referred to in
Section 15 (a) of the Thirteenth
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WENTWORTH CONDOMINIUM PLAN 24

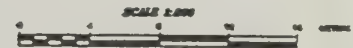
P.L.K. 18024-0001 TO P.L.K. 18024-0027 (L.T.) (Indicative)

Appendix "M" referred to
In Section 15 (b) of the Thirteenth
Report of the Planning and
Development Committee for 1999

SCHEDULE			
PART	LOCATION	PART OF P.L.K.	Area (m ²)
1	PART OF LOT 25 CONCESSION 2	17307-0043 (L.T.)	103.00
2	PART OF LOT 25 CONCESSION 2	17307-0043 (L.T.)	41.00
3	PART OF LOT 25 CONCESSION 2	17307-0043 (L.T.)	23.00
4	PART OF LOT 25 CONCESSION 2	17307-0043 (L.T.)	20.00

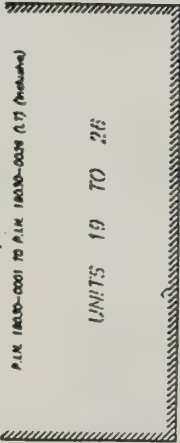
PART 2: SUBJECT TO A RIGHT-OF-WAY AS PER DIST. No. 314415 AS

PLAN OF SURVEY OF
PART OF LOT 25
CONCESSION 2
(GEOGRAPHIC TOWNSHIP OF SALTFLICK)
NOW IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF
HAMILTON - WENTWORTH

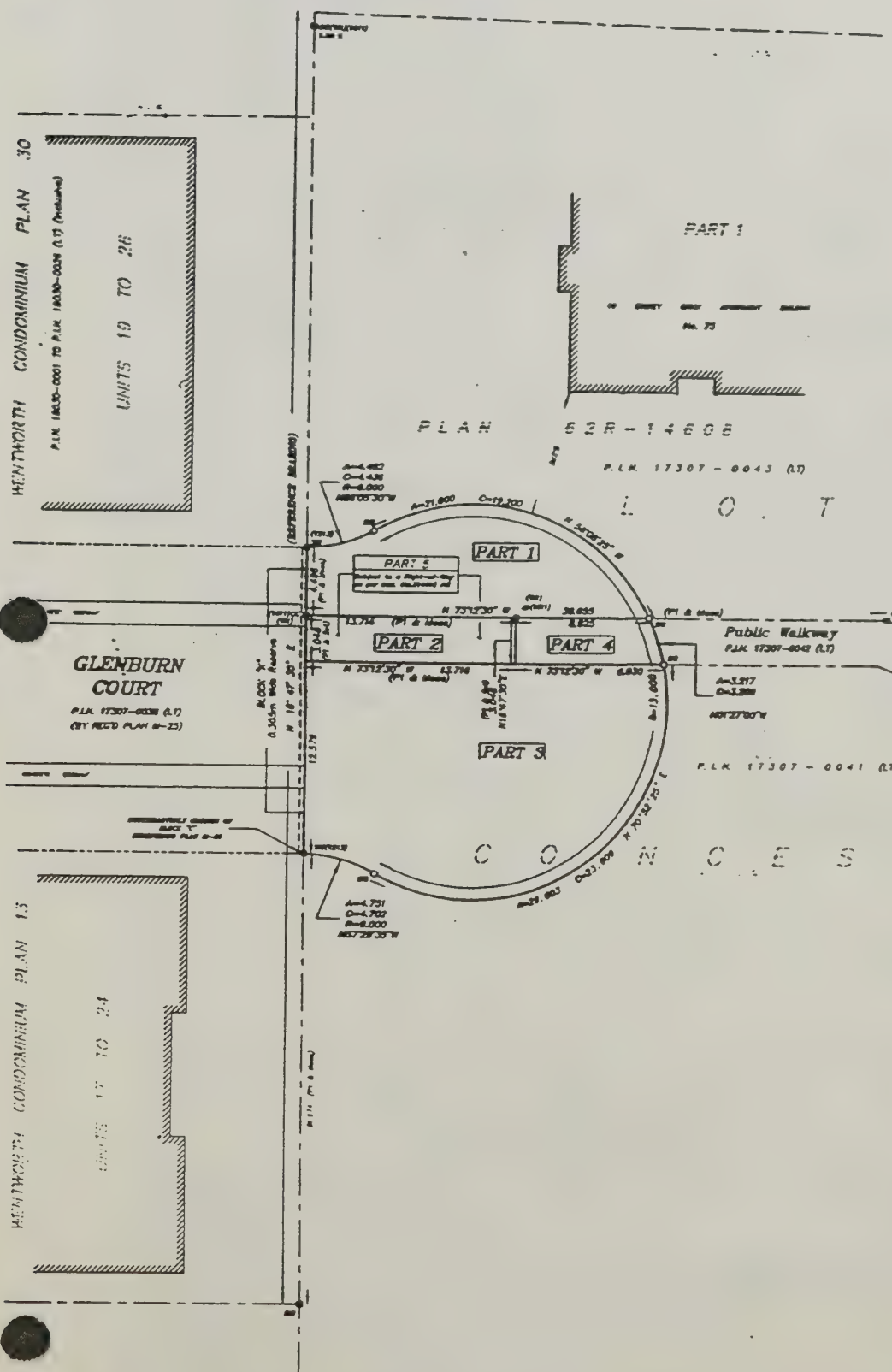
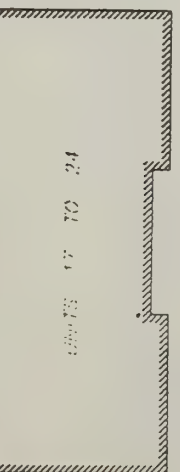


B.A. JACOBS SURVEYING LTD.
ONTARIO LAND SURVEYOR

WENTWORTH CONDOMINIUM PLAN 30



WENTWORTH CONDOMINIUM PLAN 13



METRIC NOTE
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE
CONVERTED TO FEET BY DIVIDING BY 0.3048

BEARING NOTE
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE
EASTERLY LIMIT OF BLOCKS "C" & "D" AS SHOWN ON
REGISTERED PLAN M-23, HAVING A BEARING OF N 16°47'30" E

LEGEND

SURVEY MONUMENT FOUND	●
SURVEY MONUMENT PLANTED	○
STANDARD IRON BAR	⊠
IRON BAR	⊞
CUT CROSS	⊞
WITNESS	W
REFERENCE PLAN 18024-0001	(18024)
J.D. PETERS O.L.S.	(17213)
CONSOLI & JACOBS LTD.	(1511)
B.A. JACOBS LTD.	(16279)

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON THE MAY 3, 1999.

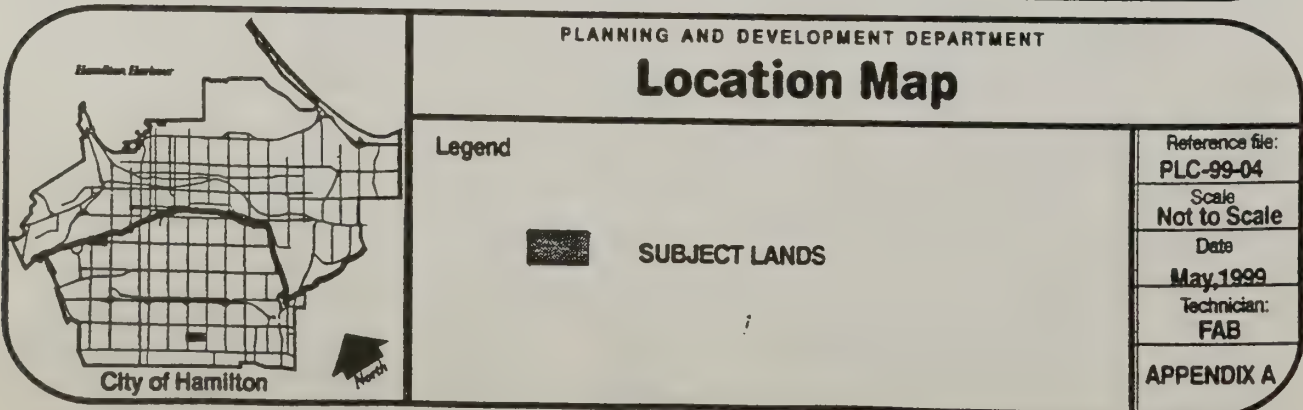
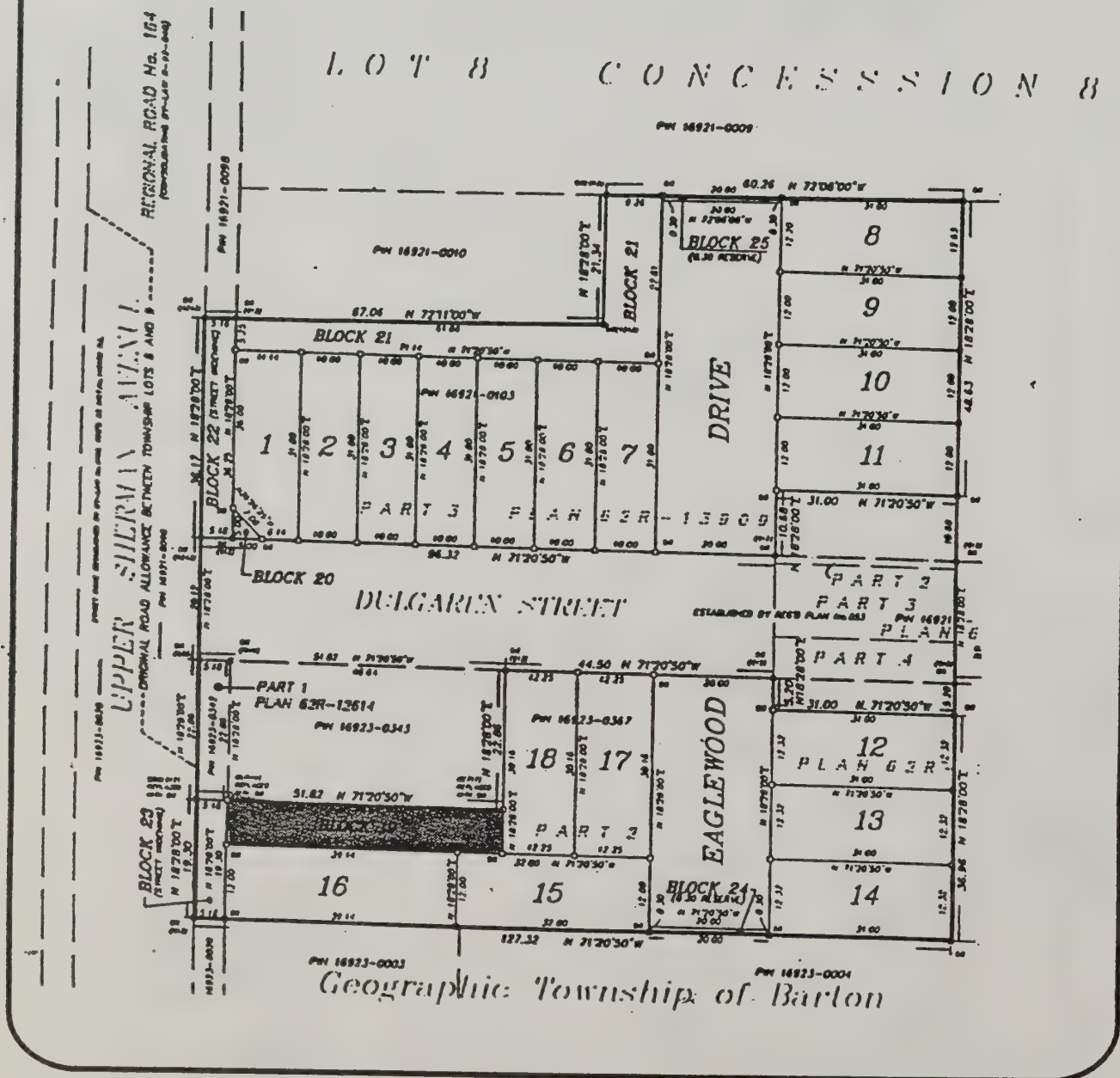
MAY 3, 1999
DATE

DRAFT

BRYAN JACOBS
ONTARIO LAND SURVEYOR

	B.A. JACOBS SURVEYING LTD.	
	131 JOHN ST. S. HAMILTON, SUITE 101 TEL: (905) 621-1530 FAX: (905) 621-0088 (L.B.M. 703)	
APPROVED BY:	DATE:	BY: JACOB

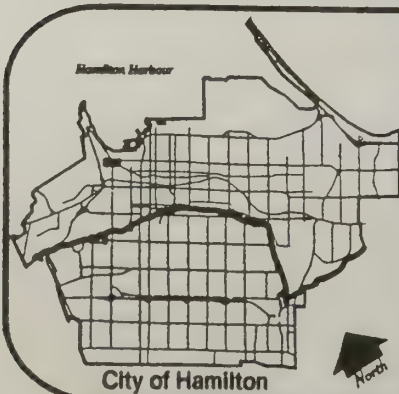
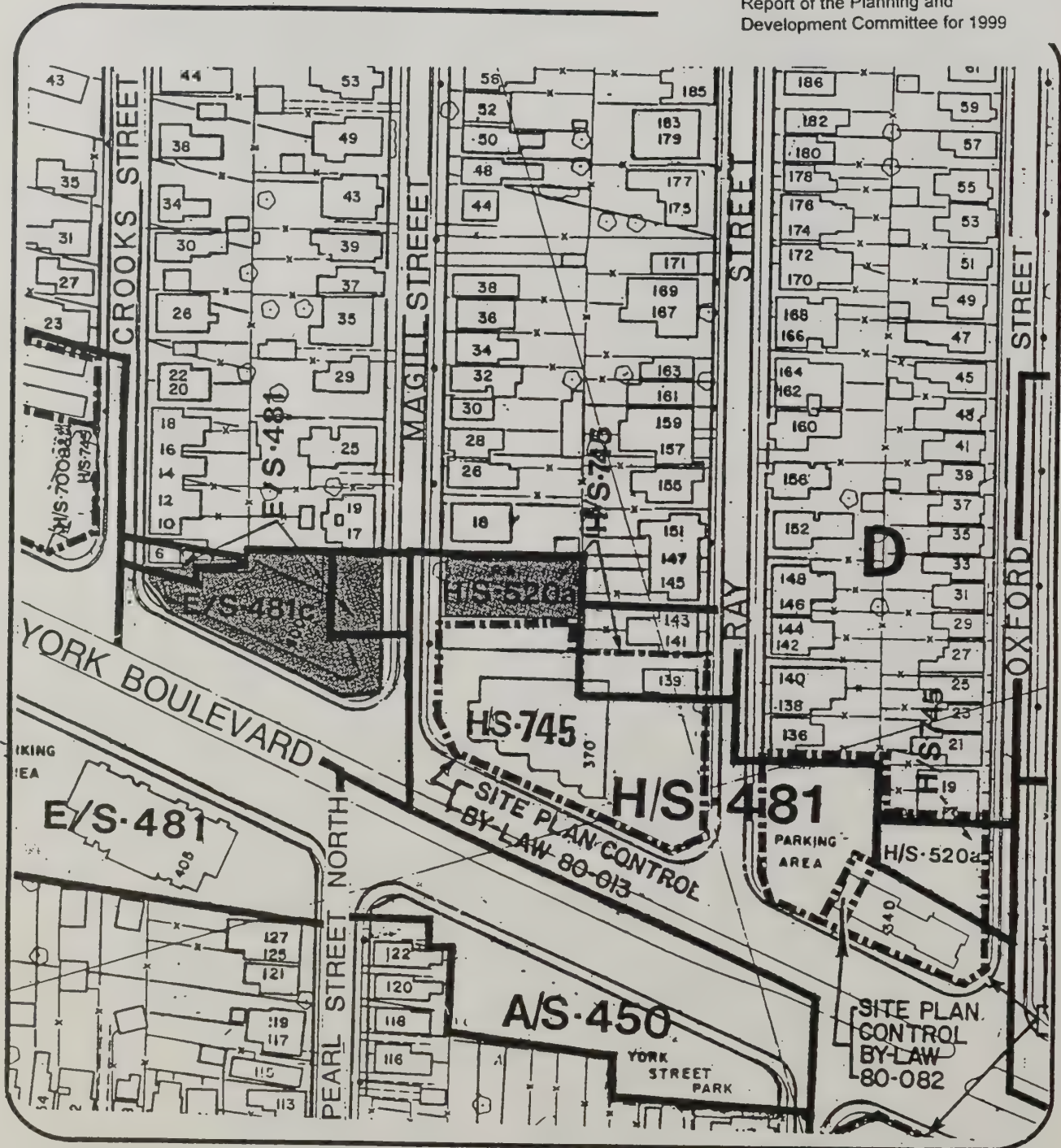
Appendix "N" referred to in
Section 17 (a) of the Thirteenth
Report of the Planning and
Development Committee for 1999



575

June 29, 1999

Appendix "P" referred to
In Section 18 (a) of the Thirteenth
Report of the Planning and
Development Committee for 1999



PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend



SUBJECT LANDS

Reference file:
CDM-89003(R)

Scale
Not to Scale

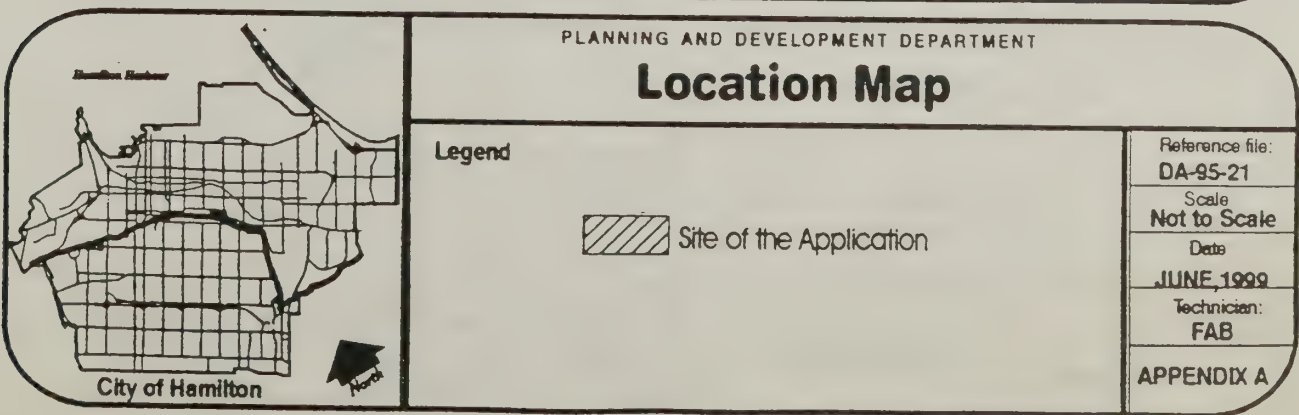
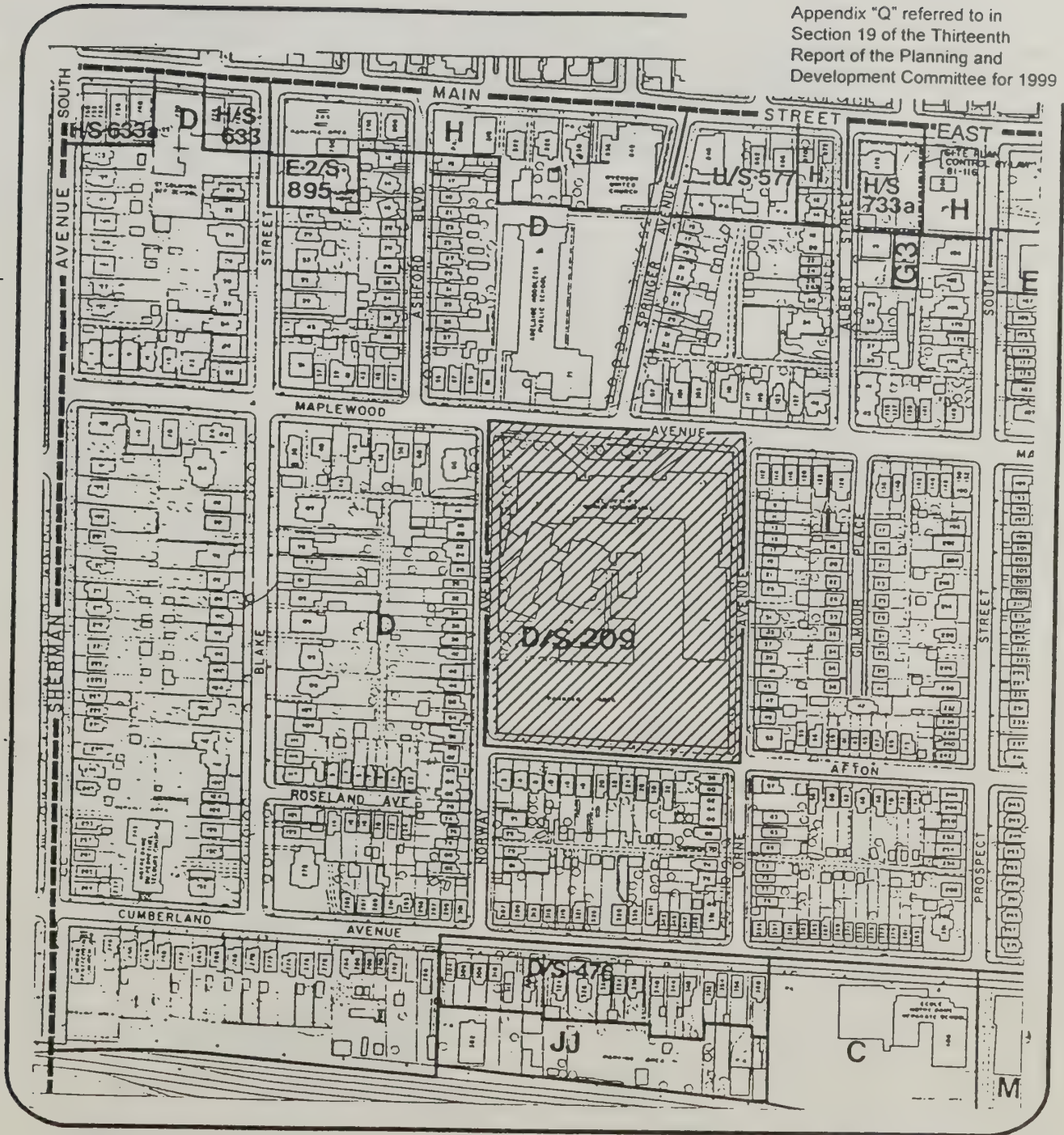
Date

May, 1999

Technician:
FAB

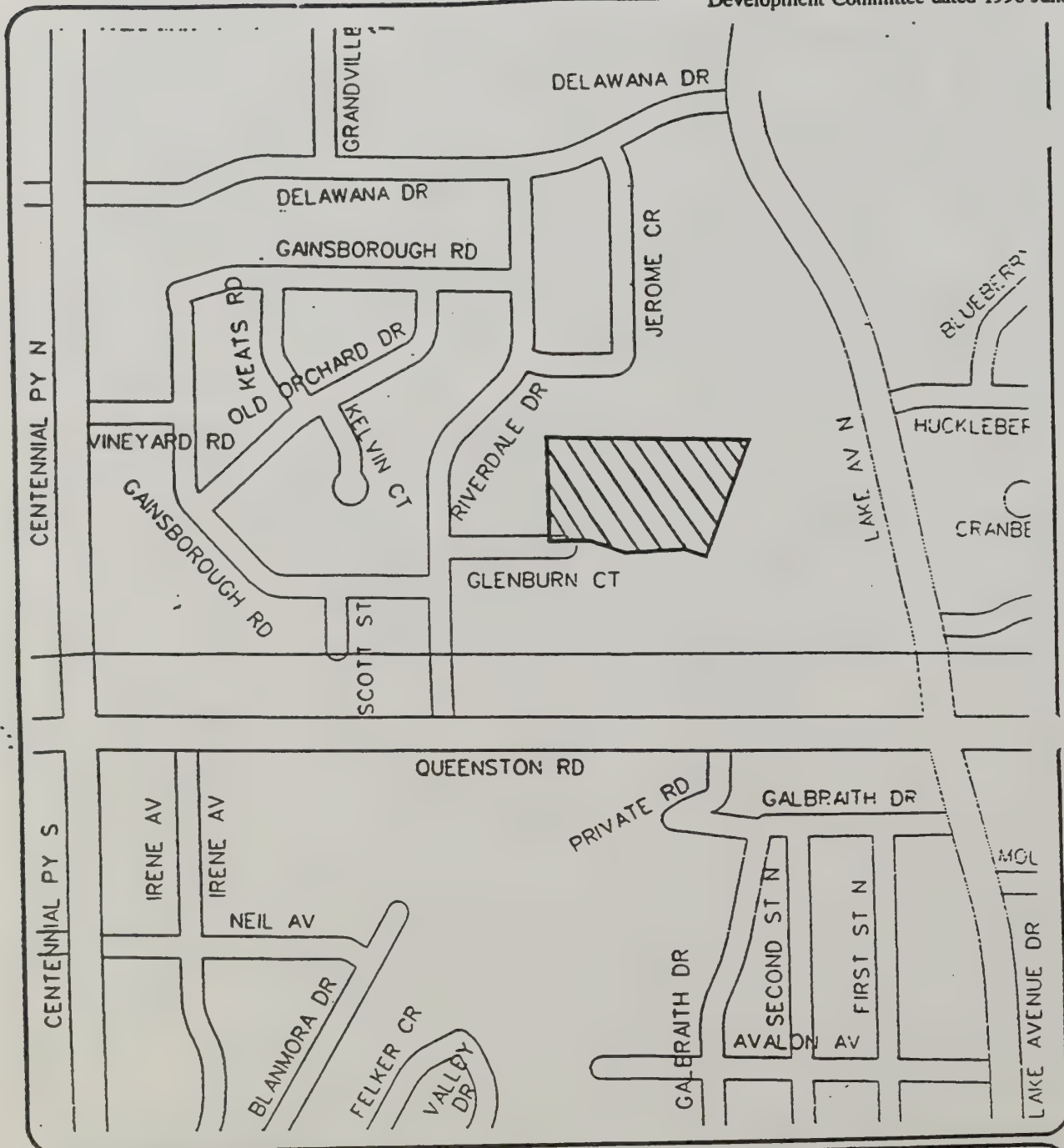
APPENDIX A

Appendix "Q" referred to in
Section 19 of the Thirteenth
Report of the Planning and
Development Committee for 1999



June 29, 1999

Appendix "R" as referred to
in Section 23 (a) of the Thirteenth
Report of the Planning and
Development Committee dated 1998 June 30



City of Hamilton

Key Map

CDM-CONV-98-003

Planning and Development Department

Legend



75 Glenburn Court

North



Scale
NOT TO SCALE

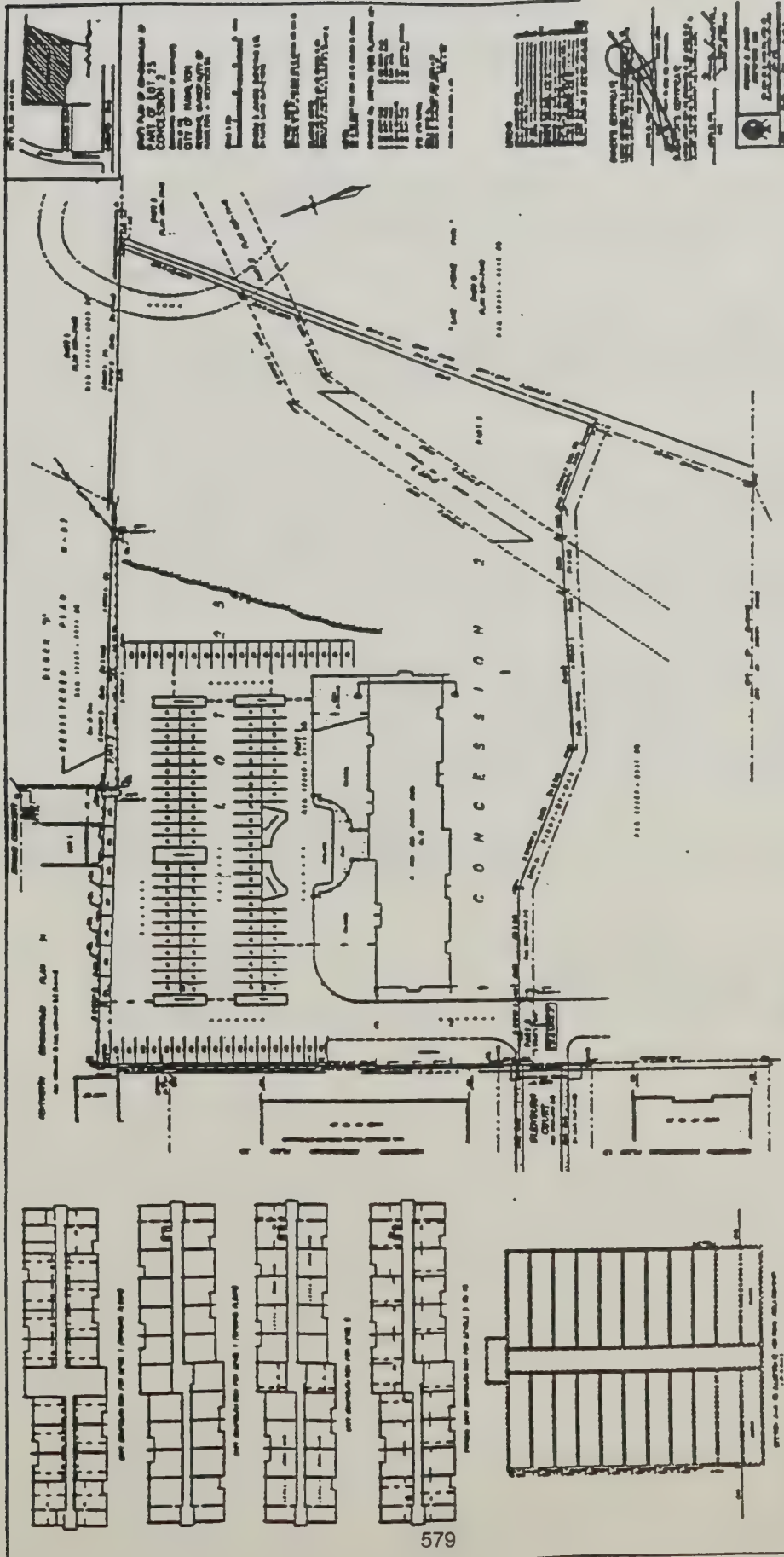
Date
April 1998

Reference File No.
CDM-CONV-98-003

Drawn By
B.B.

June 29, 1999

Appendix "S" as referred to in
Section 23 (a) (i) of the Thirteenth Report
of the Planning and Development
Committee dated 1998 June 30



June 29, 1999

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its
FOURTEENTH Report for 1999 and respectfully recommends:

1. **Ontario Municipal Board Hearing
Official Plan Amendments regarding the conversion to
condominium and demolition of rental housing – City of Toronto**

That Corporate Counsel be authorized and directed to seek party status with respect to Ontario Municipal Board Files O 980148, Z 990036, O 990032, and related pending files concerning jurisdictional challenges to a municipality's ability to regulate the protection of rental housing stock through Official Plan policies.

Respectfully Submitted,

**ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

**Susan Reeder, Acting Secretary
June 29, 1999**

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **ELEVENTH** Report for 1999 and respectfully recommends:

1. Appointment By-law – Acting Clerk

- (a) That Kevin C. Christenson, Michael A. Rallo and Darryl J. Lee be appointed Temporary Acting Clerk, in the absence of the Clerk:
and,
- (b) That the by-law, respecting the appointment of a Temporary Acting Clerk, for the City of Hamilton be presented to City Council for approval.

2. City/Region Short-Term Cross Borrowing/Lending (INV99006)

- (a) That the General Manager, Finance be authorized to permit short term lending and borrowing between the Corporation of the City of Hamilton and the Region of Hamilton-Wentworth, with short term borrowing activity of either corporation being controlled by each respective corporations' Temporary Borrowing By-law; and,
- (b) That this activity be carried out in a manner satisfactory to the Internal Auditor and Corporate Counsel; and,
- (c) That Investment Policy diversification guidelines for both the Corporation of the City of Hamilton and the Region of Hamilton-Wentworth permit investment in each others short term debt without limit; and,
- (d) That the Chief Investment Officer and either the General Manager, Finance or failing that individual a Director of Finance of these corporations be authorized on behalf of both corporations to enter into such transactions with the understanding that authorization for temporary borrowing activities as specified in the respective Temporary Borrowing By-law must be obtained within a reasonable time period. Specifically the transaction will be reversed if this authorization has not been obtained within five business days of the transaction.

**3. International Brotherhood of Electrical Workers, Local 105
(C01099/HUR99012)**

- (a) That the amendment to the International Brotherhood of Electrical Workers and Allied trades, Local 105, Collective Agreement be received pursuant to the Fair Wage Policy of the City of Hamilton and Region of Hamilton-Wentworth; and,
- (b) That the Fair Wage Schedule be amended to reflect the increase in pension benefits, the first and second increase in wages and only a portion of the third increase in wages, since the full cost of wages and benefits exceeds the full cost of wages and benefits for similar positions in the Province of Ontario's Fair Wage Schedule and Labour Conditions (Hamilton Zone).

**4. United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the U.S.A. and Canada, Local 67
(C01299/HUR99014)**

- (a) That the amendment to the UA, Local 67, Collective Agreement be received pursuant to the Fair Wage Policy of the City of Hamilton and Region of Hamilton-Wentworth; and,
- (b) That the Fair Wages Schedule be amended to reflect the increase in pension benefits, the first and second increase in wages and only a portion of the third increase in wages, since the full cost of wages and benefits exceeds the full cost of wages and benefits for similar positions in the Province of Ontario's Fair Wage Schedule and Labour Conditions (Hamilton Zone).

**5. Labourers' International Union of North America, Local 837
(C01199/HUR99013)**

- (a) That the amendment to the LIUNA, Local 837, Collective Agreement be received pursuant to the Fair Wage Policy of the City of Hamilton and Region of Hamilton-Wentworth; and,
- (b) That the Fair Wages Schedule be amended to reflect the increase in pension and benefits.

6. Social and Economic Impact Study for a Permanent Casino (Charity Casino)

- (a) That the study entitled "The Social and Economic Impacts of a Permanent Casino in Hamilton" prepared by Econometric Research Limited and the Social Planning and Research Council for Hamilton-Wentworth, dated April 1999, which was circulated to members of Council, and is available from the Committee Secretary upon request, be received; and,
- (b) That the Municipal Clerk be requested to forward "The Social and Economic Impacts of a Permanent Casino in Hamilton" study to the Social and Public Health Services Division; and,
- (c) That the Municipal Clerk be requested to forward "The Social and Economic Impacts of a Permanent Casino in Hamilton" study to the Alcohol and Gaming Commission of Ontario for information.

7. 76 John Street North (Municipal Car Park No. 1)

That Section 2 of the Fourth Report for 1999 of the Finance and Administration Committee approved by City Council on February 23, 1999 declaring the property at 76 John Street North surplus to the requirements of the City of Hamilton, in accordance with Real Property Sales Procedural By-law No. 95-049, be rescinded in its entirety.

8. Request from Flamboro Downs for the City's non-objection in locating an additional proposed teletheatre location at Boomers Bar & Eatery, 919 Upper Paradise Road.

That the Ontario Racing Commission be advised that the City of Hamilton objects to the establishment of a proposed teletheatre location for Flamboro Downs at Boomers Bar and Eatery, 919 Upper Paradise Road, Hamilton.

9. 1998 Distribution of Year-End Surpluses

- (a) That \$209,674 be transferred from the Fire Department's Medical Surveillance account, in the 1998 Current Budget, to the work-in-progress account CF489955035; and,

- (b) That the amount of \$22,770 with respect to the current year expenditures related to the Plastimet fire be financed from the General Surplus of the 1998 Current Budget; and,
- (c) That the provision for severance costs in the amount of \$2,788,540 be transferred to the Reserve for Early Retirement; and,
- (d) That the amount of \$30,000 be transferred from the current budget surplus to the Reserve for the Hosting of Special Dignitaries; and,
- (e) That the current budget surplus in tax remissions, etc. of \$725,468 be transferred to the Reserve for Tax Stabilization.

10. City of Hamilton Temporary Borrowing By-Law (INV99005)

That By-law R98-308 be repealed and replaced by a By-law authorizing the temporary borrowing of funds by the Corporation of the City of Hamilton for the balance of 1999.

11. 1998 City of Hamilton Financial Report

- (a) That the 1998 City of Hamilton Financial Report, which was circulated to members of Council and is available from the Committee Secretary upon request, be approved; and,
- (b) That the General Manager, Finance publish the required 1998 Financial Information, based on the audited Report, in the Hamilton Spectator within the next 60 days.

12. Authorization to enter into Extension Agreements on specific properties for the payment of realty tax arrears

- (a) That the City of Hamilton be authorized to enter into Extension Agreements, if required, in a form satisfactory to the Corporate Counsel and the General Manager, Finance pursuant to Section 8 of the Municipal Tax Sales Act, with the owners as outlined in the schedule, attached herewith and marked Appendix "A", to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994; and,
- (b) That the by-law to authorize the said Extension Agreement be presented to City Council for approval; and,

- (c) That the Mayor and Municipal Clerk be authorized to execute the aforesaid by-law and extension agreements.

13. Funding Source – Gage Park Water Spray Pad

That as referred to in Section 12 of the SIXTH Report for 1999 of the Parks and Recreation Committee and approved by City Council on May 11, 1999, the City of Hamilton contribution of \$15,000 towards construction of the Water Spray Pad in Gage Park be funded from the Reserve for Capital Projects (00203).

14. Funding Source – Fire Department Vehicle Purchases

- (a) That as referred to in Section 3 of the NINTH Report for 1999 of the Finance and Administration Committee approved by City Council on May 11, 1999, the interim funding in the amount of \$650,000 be made from the Capital Reserve for Motorized Equipment Replacement (00101) for the following:

Smeal Fire Apparatus Co. – P.O. increase	\$ 50,000
Almonte Fire Trucks Ltd. – P.O. increase	\$450,000
Rapid Response Vehicle acquisition	\$150,000

- (b) That the above noted reserve be repaid the \$650,000 from the Fire Department operating budget through restructuring savings to be identified in the Fire Chief's forthcoming Business Plan.

15. 1998 Hamilton Fire Department Annual Report

That the 1998 Hamilton Fire Department Annual Report, which was circulated to members of City Council and is available from the Committee Secretary upon request, be received.

16. Repeal By-law 96-010 – Appointing Acting Treasurer; Repeal By-law 94-086 – Appointing a Collector; Appoint Acting Treasurers; Appoint Tax Collectors

That the Director of Legal Services be authorized and directed to prepare by-laws for presentation to City Council to:

- (a) Repeal By-law 96-010 which appointed an Acting Treasurer; and,

- (b) Repeal By-law 94-086, which appointed a Collector; and,
- (c) Appoint Mr. T. A. Bradbury, Mr. R. P. Male and Mr. A. D. Tollis as Acting Treasurers in the absence of the Treasurer; and,
- (d) Appoint Mr. T. A. Bradbury and the Treasurer as Tax Collectors.

17. 170 ½ MacNab Street North

- (a) That the City of Hamilton advance a loan pursuant to the Municipal Act, Section 113, to Angelo Fiorentino of 170 ½ MacNab Street North in the principal amount of \$25,000 (namely, the cost of the City's work carried out to have this property comply with the Property Standards By-law) upon the following terms:
 - (i) The borrower, Angelo Fiorentino, signs a Promissory Note and a collateral mortgage to the City on her residence to secure the said loan; and,
 - (ii) Interest rate at 0% per annum and payments of principal of \$100 per month; and,
 - (iii) Calculated as of the date this amount was added to the realty tax roll, namely as of 1994 January; and,
 - (iv) Term of loan: the earlier of 15 years or the date this property is sold or transferred by the borrower or by her estate; and,
 - (v) Open for repayment at any time without notice or bonus; and,
 - (vi) That the loan be secured by a first mortgage shall be prepared and registered in a form satisfactory to the Corporate Counsel by the borrower's lawyer who shall certify title to the City subject to judgements in favour of Ontario Legal Aid in the approximate amount of \$6,000, and a conditional sales contract of about \$4,000; and,
- (b) That once the said first mortgage is registered in favour of the City of Hamilton,

- (i) The General Manager, Finance be authorized to remove from the Realty Tax Roll of this property the \$25,000 Work Order and the interest added to the tax roll attributable to the City's Work Order; and,
- (ii) The City's Notice of Lien registered on December 31, 1993 as Instrument VM173088 in respect of the Work Order, be discharged; and,
- (c) That the borrower's lawyer provide the City of Hamilton with their Certificate of Independent Legal Advice to the borrower, including in particular that the borrower understands in her language the changes recommended above; and,

If the property owner is not able to afford independent legal advice, then an additional recommendation may have to be included:

- (d) That the borrower's legal fees and costs in an amount not exceeding \$1,000 be paid by the City of Hamilton and added to the first mortgage amount of \$25,000.

18. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-17 A By-law to appoint a Temporary Acting Clerk for the Corporation of the City of Hamilton.
- (b) D-18 A By-law to authorize the temporary borrowing of monies to meet current expenditures pending receipt of current revenues.
- (c) D-19 A By-law to Appoint Acting Treasurers.
- (d) D-20 A By-law to Appoint a Collector.
- (e) D-21 A By-law to authorize Extension Agreements for payment of realty tax arrears.

June 29, 1999

- (f) D-22 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN D. WILSON
CHAIRMAN
FINANCE AND ADMINISTRATION
COMMITTEE**

**Susan K. Reeder
Secretary
June 15, 1999**

June 29, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

Appendix "A" as referred to
in Section 13 of the Eleventh
Report for 1999 of the Finance
and Administration Committee

1) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	000 BURLINGTON ST. E. 03 02720 2500 JUNE 18, 1999
2) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	249 HESS ST. N. 02 01250 3490 JUNE 18, 1999
3) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	315 BEACH BLVD. 05 05140 2260 JUNE 18, 1999
4) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	123 PRINCESS ST. 03 02660 3975 JUNE 18, 1999
5) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	70 COVINGTON ST. 05 04810 6390 JUNE 18, 1998
6) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	938 BURLINGTON ST. E. 03 02720 1370 JUNE 18, 1998
7) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	350 WENTWORTH ST. N. 03 02230 3100 JULY 6, 1999
8) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	1555 MAIN ST. W. 01 00420 8390 JULY 14, 1999
9) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	66 STANLOW CRES. 08 10310 4770 JULY 14, 1998
10) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	432 MAIN ST. E. #103 03 02030 6063 JULY 14, 1999
11) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	46 KENILWORTH AVE. N. 04 03310 2170 JULY 14, 1999
12) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	11 DEREK DR. 05 05210 6604 JULY 14, 1999
13) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	83 KENILWORTH AVE. N. 04 03420 1030 JULY 14, 1999
14) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	55 SANFORD AVE. S. 03 02315 1280 NOVEMBER 26 1999
15) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	208 KENILWORTH AVE. N. 04 03310 1360 JULY 17, 1999

June 29, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

16)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	219 OTTAWA ST. N. 04 02850 0310 JULY 17, 1999
17)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	727 BARTON ST. E. 03 02655 2120 JULY 17, 1999
18)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	175 DUFFERIN ST. 01 00610 3300 JULY 17, 1999
19)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	175 CLINE AVE. N. 01 00520 6590 JULY 17, 1999
20)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	34 ST. MATTHEWS AVE. 03 02175 7360 JULY 20, 1999
21)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	729 BARTON ST. E. 03 02655 2090 JULY 27, 1999
22)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	1257 MAIN ST. E. 04 03125 8000 JULY 27, 1999
23)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	1373 MAIN ST. E. 04 03125 7250 JULY 27, 1999
24)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	111 JAMES ST. N. 02 01240 2810 JULY 27, 1999
25)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	32 BARTON ST. E. 02 01565 5610 JULY 27, 1999
26)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	49 AUGUSTA ST. 02 01435 7590 JULY 27, 1999
27)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	569 RENNIE ST. 05 04010 1530 JULY 27, 1999
28)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	220 NEBO RD. 06 07210 6160 AUGUST 7, 1999
29)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	130 STAPLETON AVE. 04 03230 2730 AUGUST 13, 1999
30)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	72 MEGNA CRT. 08 10630 2156 AUGUST 13, 1999

June 29, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

31)PROPERTY ADDRESS
SERIAL NUMBER
REDEMPTION DATE

32 BRITANNIA AVE.
04 03135 2380
AUGUST 13, 1999

32)PROPERTY ADDRESS
SERIAL NUMBER
REDEMPTION DATE

135 KENILWORTH AVE. N.
04 03130 8880
NOVEMBER 26, 1999

33)PROPERTY ADDRESS
SERIAL NUMBER
REDEMPTION DATE

638 UPPER WENTWORTH ST.
07 08240 9020
AUGUST 13, 1999

34)PROPERTY ADDRESS
SERIAL NUMBER
REDEMPTION DATE

11 ELLIS AVE.
04 03140 5350
AUGUST 13, 1999

35)PROPERTY ADDRESS
SERIAL NUMBER
REDEMPTION DATE

28 NORFOLK ST. N.
01 00320 4040
AUGUST 14, 1999

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its **FIFTH** Report for 1999 and respectfully recommends:

1. Taxi Cab Driver Licence – Wasim Ahmad Khan

That the Taxi Cab Driver Licence of Wasim Ahmad Khan be suspended until Mr. Khan obtains a Class G Licence issued under the Highway Traffic Act.

2. Taxi Cab Driver Licence – Rajiv Bakshi

That the Taxi Cab Driver Licence of Rajiv Bakshi be suspended until Mr. Bakshi obtains a Class G Licence issued under the Highway Traffic Act.

3. Taxi Cab Driver Licence - Saied Belal

That the Taxi Cab Driver Licence of Saied Belal be suspended until Mr. Belal obtains a Class G Licence issued under the Highway Traffic Act.

4. Taxi Cab Driver Licence – Ameen Khan

That the Taxi Cab Driver Licence of Ameen Khan be granted subject to Mr. Khan submitting an updated driving abstract to the Issuer of Licences on December 9, 1999.

5. Tow Truck Driver Licence – Michael Horvath

That the Tow Truck Driver Licence of Michael Horvath be granted subject to Mr. Horvath submitting an updated criminal record to the Issuer of Licences on December 9, 1999.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Corsini, Haining, Wilson, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -10.

NAYS: Aldermen Caplan, Horwath, Copps, D'Amico. -4. **CARRIED.**

6. Restaurant and Billiards Licences

That the Restaurant and Billiard Licences of Mary Kubiak Vandalen at 193 King Street East be revoked.

Confidential background information provided to members of City Council under separate cover.

Respectfully Submitted,

**ALDERMAN F. EISENBERGER, CHAIRMAN
CITY OF HAMILTON LICENSING COMMITTEE**

**Stella Glover, Secretary
June 9, 1999**

**URBAN
MUNICIPAL**

Minutes of Hamilton City Council
Tuesday, July 6, 1999
1:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

There were present: Mayor R. Morrow, Chairman
Aldermen M. Caplan, A. Horwath, R. Corsini,
B. Morelli, D. Haining, D. Wilson, G. Copps,
C. Collins, F. Eisenberger, T. Jackson, B. Charters,
T. Anderson, B. Kelly, D. O'Sullivan.

Absent: Aldermen M. Kiss, Bereavement
Alderman F. D'Amico, Illness

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Eisenberger and seconded by Alderman Collins that the Rules of Order be suspended in order to allow Council to commence it's meeting after the half hour grace period has lapsed. **CARRIED.**

It was moved by Alderman Collins and seconded Alderman Wilson that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of matters not reported upon by the respective Standing Committees. **CARRIED.**

It was moved by Alderman Caplan and seconded by Alderman Horwath that Council move into Committee of the Whole to permit consideration of item # 1 to # 22 and the Report of the Joint Budget Steering Committee with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -14.

NAYS: -0. **CARRIED.**

RESOLUTION ITEMS #1 to #22

It was moved by Alderman Caplan and seconded by Alderman Horwath that Report items #1 to #22, be adopted.

(ITEMS CARRIED EXCEPT AS NOTED)

Section 4 Re: Temporary Road Closure – Showcase Festival

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. –13.

NAYS: Alderman Copps. -1.

CARRIED.

Rule No. 9 Re: Introduction of Bills

It was moved by Alderman Collins and seconded by Alderman Eisenberger that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of the introduction of Bills A-33 and A-34.

CARRIED.

Section 5 Re: Introduction of Bills

It was moved by Alderman Collins and seconded by Alderman Eisenberger that Section 5 of the recommendations to City Council be amended by adding the following two bills;

A-33 A By-law to amend By-law No. 89-72 to regulate traffic

A-34 A By-law to amend By-law No. 89-72 to regulate traffic

CARRIED.

Section 7 Re: Sale of Alcoholic Beverages – Mohawk Sports Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, O'Sullivan. –13.

NAYS: Alderman Jackson -1.

CARRIED.

Section 11 Re: Formation of Task Force – Skateboard Facility

It was moved by Alderman Jackson and seconded by Alderman Wilson that item 11 of the Reports presented to Council be amended by adding the following as sub-section (h):

“(h) That Alderman Collins and Alderman Morelli be appointed to the Skateboard Facility Task Force.”

CARRIED.

Section 13 Re: ZAC-99-07, 1221 Limeridge Road East

It was moved by Alderman Jackson and seconded by Alderman Charters that Section 13 of the Committee of the Whole Report respecting ZAC99-07 – 1221 Limeridge Road West be amended to add the following as sub-section (g):

“(g) that staff be directed to address the following matters under Site Plan Control process;

- (1) that landscaping provisions be included in the site plan; and,
- (2) that the number of parking spots be reviewed and analysed with the intent of increasing the parking spaces now allocated at 44 spots; and,
- (3) that the vehicular drop off spot presently designated on Lockheed Drive be reviewed with the option of possible deletion.

CARRIED.

Recorded vote on Section 13 as amended.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -13.

NAYS: Alderman Copps-1.

CARRIED.

Section 15 Rule No. 9 - Bills

It was moved by Alderman Copps and seconded by Alderman Haining that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of the introduction of Bills C-39, C-40 and C-41.

CARRIED.

Section 15 Re: Bills

It was moved by Alderman Copps and seconded by Alderman Haining that Section 15 of the Recommendations to City Council be amended by adding the following three bills;

C-39 A By-law to amend Zoning By-law No. 6593 Respecting Lands Located East of Upper Sherman Avenue and South of Dalia Avenue at the Rear of Municipal No. 1487 Upper Sherman Avenue.

C-40 A By-law to amend Zoning By-law No. 6593 Respecting Lands Located East of Upper Sherman Avenue and South of Dalia Avenue at the Rear of 1509 Upper Sherman Avenue.

C-41 A By-law to amend Zoning By-law No. 6593 Respecting Lands Located at Municipal No. 199 Stone Church Road West. **CARRIED.**

Section 20 Re: Appointment of External Auditor

Recorded vote.

YEAS: Mayor Morrow, Aldermen Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -13.

NAYS: Aldermen Caplan, Copps. -2.

CARRIED.

Section 21 Re: Licensed Parking Lots – Enforcement of New Standards

It was moved by Alderman Caplan and seconded by Alderman Horwath that Section 21 of the Recommendations presented to Council respecting Enforcement of New Standards – Licensed Parking Lots be tabled and that staff be directed to report back to the September 7, 1999 Council meeting.

LOST.

Section 21 Re: Licensed Parking Lots – Enforcement of New Standards

It was moved by Alderman Collins and seconded by Alderman Charters that Section 21 of the Committee of the Whole Report respecting Licensed Parking Lots be amended to add the following:

“...and that the enforcement date for the By-law respecting requirements for public licensed parking lots be extended to July 31, 1999.”

CARRIED.

**Item 17 (b) of the Sixth Report of the Transport and Environment Committee
Considered by Council June 29, 1999 and Referred to the July 6, 1999 Council
Meeting**

It was moved by Alderman Wilson and seconded by Alderman O’Sullivan that sub-section (b) of Section 17 of the Sixth Report of the Transport and Environment Committee respecting Mountable Curb Replacement Program be amended by deleting the words “...or alternatively, from Capital Reserve Accounts.”

LOST.

ST. ELIZABETH HOME SOCIETY

Rule No. 9 Re: St. Elizabeth Home Society

It was moved by Alderman Wilson and seconded by Alderman Collins that Rule No. 9 of the City’s Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting St. Elizabeth Home Society.

CARRIED.

* * * * *

Re: St. Elizabeth Home Society

It was moved by Alderman Wilson and seconded by Alderman Collins

That Council receive a private and confidential report dated June 28, 1999 from Corporate Counsel respecting St. Elizabeth Home Society and directed staff to proceed in the same manner given in the in-camera July 6, 1999 Regional Council Meeting Session. **CARRIED.**

ADDED RESOLUTIONS

Rule No. 9 Re: Development Charges By-law and Public Meeting

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting Development Charges By-law and Public Meeting. **CARRIED.**

* * * * *

Section 23 Re: Development Charges By-law and Public Meeting

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following be added as Section 23

23. (a) That a Public Meeting be held on August 11, 1999, in accordance with Section 12 of the Development Charges Act, 1997, to hear representations regarding the proposed City of Hamilton Development Charges By-law.
- (b) That the Committee of the Whole consider passage of the Development Charges By-law subsequent to the public meeting on August 11, 1999. **CARRIED.**

* * * * *

Rule No. 9 Re: Tax Incentive Program

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City

Council in order to permit consideration of a resolution respecting the Tax Incentive Program. **CARRIED.**

* * * * *

Section 24 Re: Tax Incentive Program

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following be added as Section 24

- 24 (a) That the necessary funds required for the Tax Incentive Program be provided for in the Planning and Development Division's Operating Budget.
- (b) That the appropriate funding be added to the Operating Budget in the year that the assessment increase is effective.
- (c) That all approved applications contain a maximum annual upset limit, and that the sum of these not exceed \$250,000. **CARRIED.**

* * * * *

Rule No. 9 Re: James Street Baptist Church

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting James Street Baptist Church. **CARRIED.**

* * * * *

Section 25 Re: James Street Baptist Church

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following be added as Section 25

- 25 That the request from James Street Baptist Church for its Community Heritage Loan to be set aside and forgiven, be referred to staff for discussions with the Church and a report back to the Finance and Administration Committee; at its September 1999 meeting and that repayment of their loan be deferred until then. **CARRIED.**

* * * * *

Rule No. 9 Re: Loan – Canadian Football Hall of Fame and Museum

It was moved by Alderman Collins and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit the consideration of a resolution respecting a \$50,000 loan to the Canadian Football Hall of Fame and Museum. **CARRIED.**

* * * * *

Section 26 Re: Loan – Canadian Football Hall of Fame and Museum

It was moved by Alderman Collins and seconded by Alderman O'Sullivan that approval be given for a \$50,000 loan to the Canadian Football Hall of Fame and Museum to be financed from the Reserve for Contingency, and that the terms of the loan and its repayment within one year be acceptable to the General Manager of Finance and the Director of Legal Services and Corporate Counsel. **CARRIED.**

* * * * *

Rule No. 9 Re: 1999 Final Tax Levy Due Dates

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the 1999 Final Tax Levy Due Dates. **CARRIED.**

* * * * *

Section 27 Re: 1999 Final Tax Levy Due Dates

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following be added as Section 27

27. (a) That the due dates for the final instalments of 1999 Taxation be September and November 30, 1999; and,
- (b) That the City request the Province to compensate the City for the costs associated with the billing delay. **CARRIED.**

* * * * *

Rule No. 9 Re: All Way Stop – Upper Kenilworth and Trenholme Crescent

It was moved by Alderman Jackson and seconded by Alderman Charters that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to introduce a motion respecting an all-way stop control at the intersection of Upper Kenilworth and Trenholme Crescent. **CARRIED.**

* * * * *

Section 28 Re: All Way Stop – Upper Kenilworth and Trenholme Crescent

It was moved by Alderman Jackson and seconded by Alderman Charters that the following be added as Section 28

28. That an all-way stop control be implemented at the northerly intersection of Upper Kenilworth Avenue and Trenholme Crescent and that the City of Hamilton Traffic By-law 89-72 be amended accordingly. **CARRIED.**

* * * * *

Rule No. 9 Re: Authorization to Attend a Seminar – Members of Council

It was moved by Alderman Wilson and seconded by Alderman Charters that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting authorization to attend for members of Council attending a seminar. **CARRIED.**

* * * * *

Section 29 Re: Authorization to Attend a Seminar – Members of Council

It was moved by Alderman Wilson and seconded by Alderman Charters that the following be added as Section 29

29. That Alderman D. Wilson and Alderman C. Collins be authorized to attend a Seminar entitled "Keep, Sell or Partner: What's Next for Municipalities and their Electric Utilities?" being held in Toronto on July 15, 1999 at a cost of approximately \$400 each; and that funding for this attendance be charged to the Legislative Travelling Account. **CARRIED.**

JOINT BUDGET STEERING COMMITTEE – THIRD REPORT

Section 1 Re: Year 2000 Budget Process and Guidelines

Recorded vote.

YEAS: Mayor Morrow, Aldermen Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -14.

NAYS: Alderman Caplan. -1.

CARRIED.

It was moved by Alderman Caplan and seconded by Alderman Horwath that the Report of the Committee of the Whole on the Recommendations and the Report of the Joint Budget Steering Committee and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -14.

NAYS: -0.

CARRIED.

City Council then adjourned at 4:20 o'clock p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz,
Municipal Clerk
July 6, 1999
JJS/dg**

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The following recommendations are presented for consideration:

TRANSPORT AND ENVIRONMENT COMMITTEE

**1. Routine Amendments to City Traffic By-law 89-72 (PWT99015)
Intersection Control**

That the following requests for routine amendments to the City Traffic By-law 89-72 be approved and that Council enact the appropriate by-law.

- (a) Request from Beverly Bressette, 31 Inchbury Street for southbound stop control at the "T" type intersection of Inchbury and Florence. (Ward 1)
- (b) Request from an area resident for the removal of the reserved "Permit Parking" regulation at 162 London Street South as the resident has passed away which staff has confirmed. (Ward 4)
- (c) Request from Barbara Varley, 86 Balmoral Avenue South for the implementation of a reserved "Permit Parking" regulation on the west side of Balmoral, directly in front of her home since her husband is disabled. (Ward 3)
- (d) Request from Mr. and Mrs. Dion, 48 Beechwood Avenue for the implementation of a reserved "Permit Parking" regulation on the south side of Beechwood, directly in front of their home since their granddaughter, who lives with them, is disabled. (Ward 3)
- (e) Request from Henry Lachance, 333 Emerald Street North for the implementation of a reserved "Permit Parking" regulation on the west side of Emerald, directly in front of his home since he is disabled. (Ward 3)

2. Billboard Advertising in Municipal Car Parks (PWT99012)

That Pattison Outdoor Advertising, Toronto, Ontario, be awarded the tender to provide billboard advertising in municipal car parks, in accordance with the specifications issued by the Purchasing Division and the vendor quote (Ref: C11-1199).

**3. Car Park No. 1 (John and Rebecca) and Car Park No. 80 (King and Bay)
– Rate Structures (PWT99011)**

- (a) That the maximum daily rates for parking be increased at the following locations:
 - Car Park No. 1 (John and Rebecca) from \$2.00 to \$2.50 per day
 - Car Park No. 80 (King and Bay) from \$4.00 to \$5.00 per day; and
- (b) That the responsibility for establishing and adjusting parking rates in municipal car parks be delegated to the General Manager of Transportation, Operations and Environment or his designate; and
- (c) That the Municipal Parking Facilities By-law 98-110 be amended accordingly.

4. Temporary Road Closure of Ferguson Avenue between King Street and King William Street: "Showcase Festival" (TOE99008)

- (a) That the application of the Hudson Nightclub, located at 233 King Street East, Hamilton, to close Ferguson Avenue between King Street and King William Street from 1999 Friday August 20 at 12:00 noon to 1999 August 22 at 12:00 midnight for the "Showcase Festival", be approved, subject to the following conditions:
 - i) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,
 - ii) That the applicant provide proof of \$5,000,000 public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - iii) That all barricading, detour signing and traffic control is subject to the direction of the Chief of Police or his designate; and,
 - iv) That all barricading be supplied by and at the expense of the applicant.

- v) That " Temporary Road Closure" signs be installed on the road by the Department of Public Works and Traffic, if deemed necessary by the General Manager, Transportation, Operations and Environment, at the expense of the applicant.
 - vi) That the applicant ensures that clean-up be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizer.
 - vii) That no property owner or resident within the barricaded area be denied access to their property upon request.
 - viii) That all property owners and tenants along the closed portion of the road be notified of the event by the applicant prior to the event in a form acceptable to the General Manager, Transportation, Operations and Environment.
 - ix) That a Noise Control By-law Officer be in attendance throughout the event at the expense of the event organizer.
- (b) That the Alcohol and Gaming Commission of Ontario be advised that the City of Hamilton is aware of the application of the Hudson, 233 King Street East, Hamilton, for a temporary extension of its liquor licence for August 20, 21, 22 in conjunction with the "Showcase Festival" and has no objection to the issuance of the licence.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -13.

NAYS: Alderman Copps. -1.

CARRIED.

5. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-30 Being a By-law to amend By-law 89-72 to regulate traffic

- (b) A-31 Being a By-law to amend By-law 89-72 to regulate traffic
- (c) A-32 Being a By-law to amend By-law 98-110 to increase parking fees in certain municipal parking lots
- (d) A-33 A By-law to amend By-law No. 89-72 to regulate traffic
- (e) A-34 A By-law to amend By-law No. 89-72 to regulate traffic
ADDED.

PARKS AND RECREATION COMMITTEE

6. Zero Tolerance of Violence in Culture and Recreation Facilities – Progress Report (CSC99004)

That City Council reaffirm its support for the Zero Tolerance to Violence Policy, which sets out principles, goals and definitions of acceptable behaviour within City owned properties.

7. Sale of Alcoholic Beverages- Mohawk Sports Park- August 11, 1999 Hamilton Hornets Rugby Football Club Inc. (CSC99002)

That approval be granted to the Hamilton Hornets Rugby Football Club to sell alcoholic beverages at Mohawk Sports Park on August 11th, 1999 by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Licence.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, O'Sullivan. -13.

NAYS: Alderman Jackson -1.

CARRIED.

8. City of Hamilton Draft Trails Master Plan- Authorization to Attend Public Open House (PWT99019)

- (a) That staff be directed to arrange and attend a public open house meeting to present a draft Trails Master Plan and receive public and stakeholder input on the proposal; and,

- (b) That a final report be forwarded to the Parks and Recreation Committee and City Council after receiving public input; and,
- (c) That based on the proposed alignment of the Trans Canada Trail through the City of Hamilton, staff be authorized to make application to the Trans Canada Trail Foundation for designation and inclusion in this program.

9. Concept Plan for Park Development of Former CP Lands - Forest Avenue (PWT99016)

That City Council endorse the concept plan for park development of the CP Lands site located on Forest Avenue prepared by staff in consultation with a citizens advisory committee and the Ward 2 Aldermen, as shown on Appendix "A" attached hereto.

10. Award of Contract for Construction of Multi-Purpose Building, Former CP Lands Forest Avenue (PWT99017)

- (a) That approval be given to issue a purchase order to Lael Construction Co. Ltd, Hamilton Ontario in the amount of \$159,644. including G.S.T. for the construction of the Multi-Purpose building at CP Lands Park being the lowest of three (3) tenders received in accordance with specifications C11-2399 issued by the Purchasing Division and vendors tender, and be financed from Capital Funds Account No. CF409750010 upon the City taking ownership of the lands; and
- (b) That a contract satisfactory to the Corporate Counsel be entered into between the City and Lael Construction Co. Ltd., of Hamilton, Ontario; and
- (c) That the Mayor and Municipal Clerk be authorized to execute the associated contract in a form satisfactory to the Law Department.

11. Formation of Task Force for the Purpose of Investigating Future Skateboard Facilities (PWT99018)

- (a) That for the purposes of establishing future skateboard facilities in the City of Hamilton, a task force be established and comprised of two aldermen, representatives from Hamilton-Wentworth Regional Police, the Boards of Education, five members of the user groups (citizens at large); and,

- (b) That the Municipal Clerk be authorized to advertise for the private sector citizen positions (users) in order that interviews may be completed and a task force established; and,
- (c) That staff be responsible for interviews and selection of citizen members; and,
- (d) That the task force investigate user needs, criteria for site selection, environmental impacts, design components, operational rules and regulations, public outreach; and,
- (e) That an inter-departmental staff team be formed to support the Task Force with representation from the Parks Division, Community Services and Law Department; and,
- (f) That a capital budget submission be submitted in the 1999-2008 capital budget; and,
- (g) That the findings of the task force be submitted to the Parks and Recreation Committee.
- (h) That Alderman Collins and Alderman Morelli be appointed to the Skateboard Facility Task Force. **ADDED.**

12. Request For Permission to Commence a Request for Proposals (RFP) Process for the Desjardins Canal Floating Structure Component of the Hamilton Harbour Waterfront Trail to Link with the Existing Desjardins Trail (PWT99020)

- (a) That the Commissioner of Public Works and Traffic be authorized to commence a design-build process for the design, fabrication and installation of a floating structure for the Desjardins Canal section of the Hamilton Harbour Waterfront Trail subject to the process being conducted in two stages as follows:
 - i) a Request for Expressions of Interest (RFEI) with an invitation advertised across Canada and the United States: and,
 - ii) a Request for Proposals to be invited from a short list of three to five vendors selected from those responding to the RFEI; and,
- (b) That after the RFEI submissions have been evaluated the Commissioner of Public Works and Traffic report back to

Committee with a recommendation on proceeding with the RFP stage of the process taking into account budget requirements, specifications, schedule and other project components; and,

- (c) That the Director of Legal Services and Corporate Counsel and the Supervisor of Purchasing and Accounts Payable be requested to assist with the preparation and evaluation of the RFEI; and,
- (d) That the costs associated with this RFEI/RFP process be financed from Capital Account No.CF62975026 - Harbour Waterfront Trail – Phase I.

PLANNING AND DEVELOPMENT COMMITTEE

13. ZAC-99-07, 1221 Limeridge Road East

That approval be given to Zoning Application ZAC-99-07, 1221 Limeridge Inc. (c/o Joseph Kutlesa), owner, for a change in zoning from "G" (Neighbourhood Shopping Centre, etc.) District, modified to "DE-3" (Multiple Dwellings) District, modified, to permit a "Community and Residential Care Access Centre" containing residential care and short-term residential care facilities for the accommodation of a maximum of 24 and 16 residents of at least 65 years of age, respectively, and medical and associated commercial uses in a one (1) storey building, for lands located at 1221 Limeridge Road East, shown on the map attached hereto as Appendix "B", on the following basis:

- (a) That the subject lands be rezoned from "G" (Neighbourhood Shopping Centre, etc.) District, modified to "DE-3" (Multiple Dwellings) District; and,
- (b) That the "DE-3" (Multiple Dwellings) District regulations, as contained in Section 10C of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special provisions:
 - (i) That notwithstanding Section 10C(1) of Zoning By-law No. 6593, only the following uses shall be permitted:
 - (1) a "Community and Residential Care Access Centre";
 - (2) a commercial retail store with a maximum gross floor area of 207.0 m² shall be permitted;
 - (3) a business identification sign that is wall sign of an

occupancy or use, that complies with the following requirements:

- aa. No sign shall exceed 2.0 metres in height.
 - bb. The total aggregate area of all signs shall not exceed 0.5 square metres for each 0.5 metres of exterior lineal face of the building.
 - cc. Every sign shall be parallel to the wall to which it is affixed.
 - dd. No sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination.
- (ii) For the purpose of this by-law, a "Community and Residential Care Access Centre" shall mean a building in which residential care and short-term care facilities are provided in conjunction with medical offices and related services, subject to the following provisions:
- (1) a Residential Care Facility for the accommodation of a maximum of 24 residents of at least 65 years of age; and,
 - (2) a Short-Term Care Facility for the accommodation of a maximum of 16 residents of at least 65 years of age; and,
 - (3) an accessory dining room which shall only be used in conjunction with the Residential Care and Short-Term Care Facilities; and,
 - (4) offices for medical or dental practitioners, osteopaths or drugless practitioners, physiotherapists, optometrists, and shall include medical related services such as reception areas, examination rooms, x-ray, ultra sound, a medical laboratory, and a drugstore;
- (iii) That notwithstanding Section 10C. (2) of Zoning By-law No. 6593, no building shall exceed one (1) storey in height;
- (iv) That notwithstanding Section 10C. (3) of Zoning By-law No. 6593, for a "Community and Residential Care Access Centre", the following yards shall be provided and maintained:

- (1) a minimum front yard depth of 4.5 m and an average depth of 5.2 m;
 - (2) a minimum easterly side yard depth of 2.0 m and an average depth of 4.5 m;
 - (3) a minimum westerly side yard depth of 3.8 m; and,
 - (4) a minimum rear yard depth of 4.57 m.
- (v) That notwithstanding Section 10C. (5) of Zoning By-law No. 6593, for a "Community and Residential Care Access Centre" a maximum gross floor area of 2,449.90 m² shall be permitted, comprised of 1673.12 m² maximum gross floor area for the Residential Care and Short Term Care Facilities and 776.78 m² maximum gross floor area for the medical offices and commercial retail stores, including hallways and common amenity areas;
- (vi) For the "Community and Residential Care Access Centre", an unlighted ground sign having an area of not more than 4.2 square metres and located not less than 2.0 m from any lot line shall be permitted;
- (vii) That notwithstanding Section 2.(2)A.(xiiaa) of Zoning By-law No. 6593, a Residential Care Facility shall be permitted within a building containing a "Community and Residential Care Access Centre" comprised of residential and commercial uses;
- (viii) That notwithstanding Section 2.(2)A.(xiiaaa), a Short-Term Residential Care Facility shall be permitted within a building containing a "Community and Residential Care Access Centre" jointly comprised of residential and commercial uses;
- (ix) That Section 10C.(7) of Zoning By-law No. 6593 shall not apply to the subject lands;
- (x) That Section 18A.(1)(d) of Zoning By-law No. 6593 shall not apply to the subject lands;
- (xi) That Section 18A. (14g) of Zoning By-law No. 6593 shall not apply to the existing parking area;

- (c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Section S - 1427, and that the subject lands on Zoning District map E-59A be notated as S - 1427; and,
- (d) That the City/Regional Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59A for presentation to City Council;
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,
- (f) That upon finalization of the Zoning By-law, the subject lands be redesignated from "Commercial" to "Commercial and Residential" on the approved Lisgar Neighbourhood Plan.
- (g) that staff be directed to address the following matters under Site Plan Control process;
 - (1) that landscaping provisions be included in the site plan; and,
 - (2) that the number of parking spots be reviewed and analysed with the intent of increasing the parking spaces now allocated at 44 spots; and,
 - (3) that the vehicular drop off spot presently designated on Lockheed Drive be reviewed with the option of possible deletion. **ADDED.**

Recorded vote on Section 13 as amended.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -13.

NAYS: Alderman Copps-1.

CARRIED.

14. Application to Remove Part-Lot Control – Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, Registered Plan 62M-872 "Effort Gardens, Phase 1"

- (a) That approval be given to Part Lot Control Application 99-06, Hampshire Properties Inc., owner, to remove part-lot control for Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, located in "Effort Gardens, Phase 1", Registered Plan 62M-872, for lands fronting on Theodore Drive, Bridgette Drive, and Benjamin Drive, for

the purpose of establishing maintenance easements, as shown on the map attached hereto as Appendix "C"; and,

- (b) That the by-law to remove part lot control from Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, located in "Effort Gardens, Phase 1", Registered Plan 62M-872, be enacted by Council; and,
- (c) That the exempting by-law be restricted to a 1 year effective time period to expire on July 1, 2000; and,
- (d) That following the enactment of this by-law, the Director, Land Development, Community Planning and Development Division (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the by-law and endorse the same on the by-law.

15. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-37 A By-law to remove land from land within the "Effort Gardens, Phase 1" Subdivision, Plan 62M-872 from Part Lot Control
- (b) C-38 A By-law to Amend Zoning By-law 6593 respecting lands located on the south side of Loconder Drive between Upper Gage Avenue and Queen Victoria Drive
- (c) C-39 A By-law to amend Zoning By-law No. 6593 Respecting Lands Located East of Upper Sherman Avenue and South of Dalia Avenue at the Rear of Municipal No. 1487 Upper Sherman Avenue.
- (d) C-40 A By-law to amend Zoning By-law No. 6593 Respecting Lands Located East of Upper Sherman Avenue and South of Dalia Avenue at the Rear of 1509 Upper Sherman Avenue.
- (e) C-41 A By-law to amend Zoning By-law No. 6593 Respecting Lands Located at Municipal No. 199 Stone Church Road West. **ADDED.**

FINANCE AND ADMINISTRATION COMMITTEE

16. Declaration of Surplus Property – 11/19 Rebecca Street, Hamilton (CS99008)

- (a) That the property known as 11-19 Rebecca Street, Hamilton be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,
- (b) That Real Estate, Legal Services Section be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049.

17. Declaration of Surplus Property at 172 Catharine Street North (Assessment Roll Number 02 01560 2770) (CS99010)

- (a) That the property at the rear of 172 Catharine Street North with a width of 4.42 metres (14.5 feet) more or less, by a depth of 25.6 metres (84 feet) more or less, also known as 172 Catharine Street North, be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,
- (b) That Real Estate, Legal Services Section be authorized and directed to negotiate the sale of this property in accordance with the Real Property Sales Procedural By-law No. 95-049.

18. Revised City of Hamilton Emergency Plan (Report CSC 99-001)

- (a) That the revised City of Hamilton Emergency Plan, distributed within the reference material for the July 6, 1999 Council meeting be approved; and
- (b) That staff be authorized to submit the appropriate By-law to City Council for approval and enactment.

19. Authorization to enter into Extension Agreements on specific properties for the payment of realty tax arrears

- (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the Corporate Counsel and the General Manager, Finance pursuant to Section 8 of the Municipal Tax Sales Act, with the owners as outlined in Appendix "D" attached hereto, to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994;
- (b) That the by-law to authorize the said Extension Agreements be enacted by Council.
- (c) That the Mayor and Municipal Clerk be authorized to execute the aforesaid by-law and extension agreements.

20. Appointment of External Auditor

- (a) That the firm of KPMG, Chartered Accountants, be appointed as municipal auditor for the City of Hamilton, including its Local Boards, Hamilton Entertainment and Convention facilities, Inc., Hamilton Hydro Electric System, Canusa Games, the Canadian Football Hall of Fame and Museum, Hamilton Housing Company Limited, Municipal Non-Profit (Hamilton) Housing Corporation, Hamilton Municipal Retirement Fund, The Hamilton and Scourge Foundation, Inc. and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton for the year 1999 at the fee of \$89,400 (inclusive of expenses, exclusive of GST); and,
- (b) That the necessary By-law be passed and enacted by City Council.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -13.

NAYS: Aldermen Caplan, Copps. -2.

CARRIED.

21. Licensed Parking Lots – Enforcement of New Standards (99.2.4.2.1.A) (PDC99032)

That the information report dated June 25, 1999 from the General Manager of Community Planning and Development Division respecting "Licensed Parking Lots – Enforcement of New Standards" be received and that the enforcement date for the By-law respecting requirements for public licensed parking lots be extended to July 31, 1999. **AMENDED.**

22. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-23: A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (b) D-24: A By-law to Repeal By-law Nos. 86-164 and 94-187: And to Enact a By-law respecting the Emergency Plan for the Corporation of the City of Hamilton.
- (c) D-25: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

23. Development Charges By-law and Public Meeting

- (a) That a Public Meeting be held on August 11, 1999, in accordance with Section 12 of the Development Charges Act, 1997, to hear representations regarding the proposed City of Hamilton Development Charges By-law.
- (b) That the Committee of the Whole consider passage of the Development Charges By-law subsequent to the public meeting on August 11, 1999. **ADDED.**

24. Tax Incentive Program

- (a) That the necessary funds required for the Tax Incentive Program be provided for in the Planning and Development Division's Operating Budget.
- (b) That the appropriate funding be added to the Operating Budget in the year that the assessment increase is effective.

- (c) That all approved applications contain a maximum annual upset limit, and that the sum of these not exceed \$250,000. **ADDED.**

25. James Street Baptist Church

That the request from James Street Baptist Church for its Community Heritage Loan to be set aside and forgiven, be referred to staff for discussions with the Church and a report back to the Finance and Administration Committee; at its September 1999 meeting and that repayment of their loan be deferred until then. **ADDED.**

26. Loan – Canadian Football Hall of Fame and Museum

That approval be given for a \$50,000 loan to the Canadian Football Hall of Fame and Museum to be financed from the Reserve for Contingency, and that the terms of the loan and its repayment within one year be acceptable to the General Manager of Finance and the Director of Legal Services and Corporate Counsel. **ADDED.**

27. 1999 Final Tax Levy Due Dates

- (a) That the due dates for the final instalments of 1999 Taxation be September and November 30, 1999; and,
- (b) That the City request the Province to compensate the City for the costs associated with the billing delay. **ADDED.**

28. All Way Stop – Upper Kenilworth and Trenholme Crescent

That an all-way stop control be implemented at the northerly intersection of Upper Kenilworth Avenue and Trenholme Crescent and that the City of Hamilton Traffic By-law 89-72 be amended accordingly. **ADDED.**

29. Authorization to Attend a Seminar – Members of Council

That Alderman D. Wilson and Alderman C. Collins be authorized to attend a Seminar entitled "Keep, Sell or Partner: What's Next for Municipalities and their Electric Utilities?" being held in Toronto on July 15, 1999 at a cost of approximately \$400 each; and that funding for this attendance be charged to the Legislative Travelling Account. **ADDED.**

REPORT OF THE JOINT CITY/REGION BUDGET STEERING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Joint City/Region Budget Steering Committee presents its **THIRD** Report for 1999 and respectfully recommends:

1. Year 2000 Budget Process and Guidelines

- (a) That the Year 2000 Budget Committees and Membership thereof, attached herewith and marked Appendix "A", be approved and any external correspondence be reviewed by the Joint City/Region Budget Steering Committee prior to publication; and,
- (b) That the Year 2000 Budget Timetable, attached herewith and marked Appendix "B", be approved, and that the Corporate Services Department be authorized to set up all meetings as outlined on the Timetable; and,
- (c) That the year 2000 Budget Guidelines, attached herewith and marked Appendix "C", be approved; and,
- (d) That the Budget Funding Policies, attached herewith and marked Appendix "D", be approved.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -14.

NAYS: Alderman Caplan. -1.

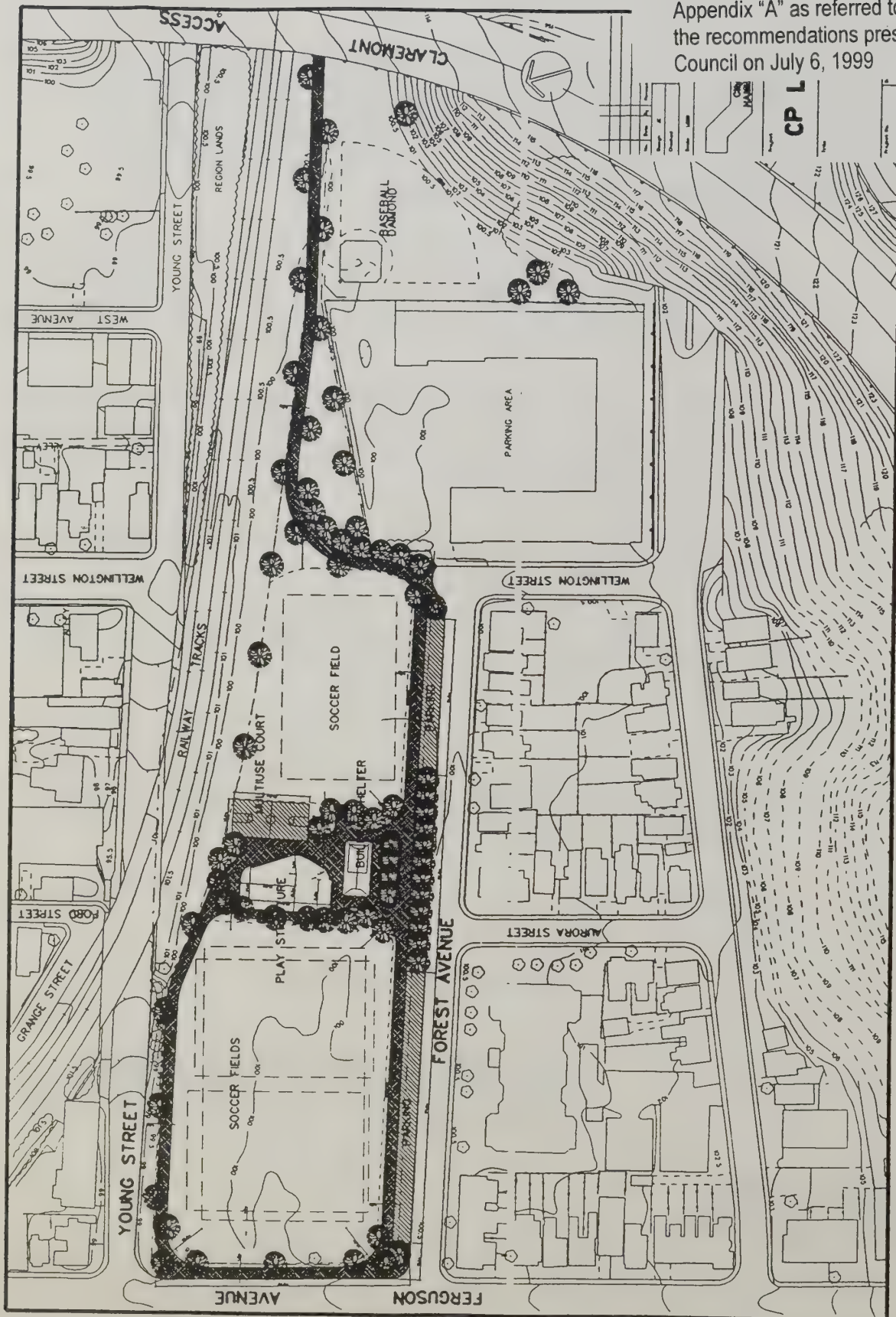
CARRIED.

Respectfully submitted,

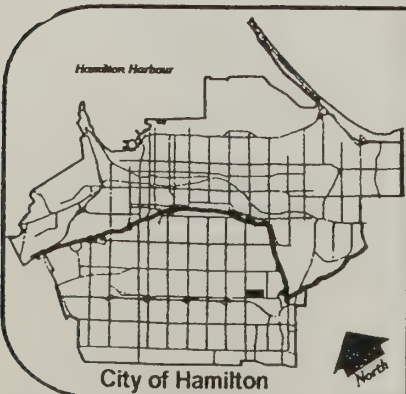
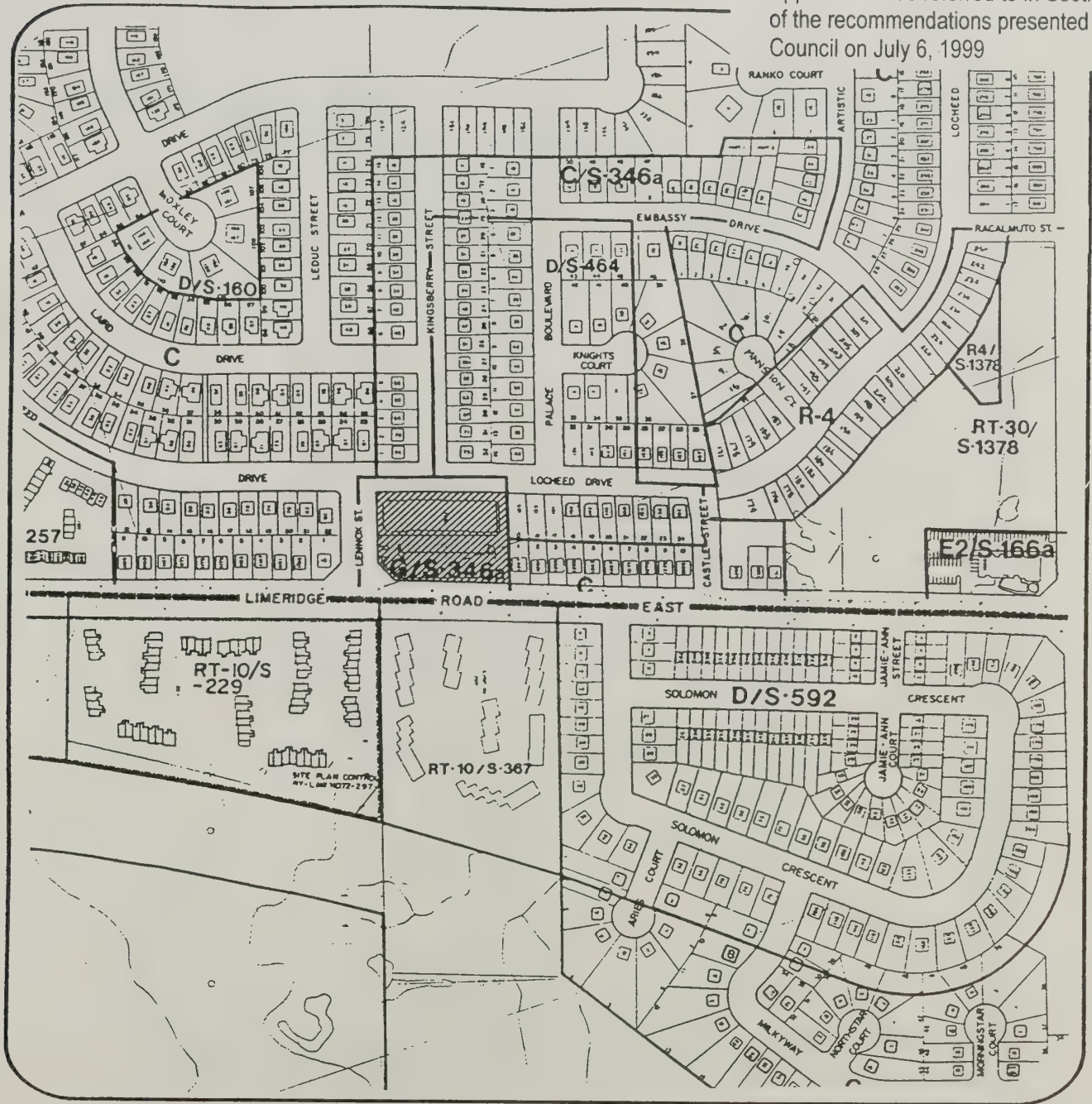
**ALDERMAN B. CHARTERS, CHAIRMAN
JOINT CITY/REGION BUDGET STEERING
COMMITTEE**

**Susan K. Reeder,
Legislative Assistant
June 28, 1999**

Appendix "A" as referred to in Section 9 of
the recommendations presented to
Council on July 6, 1999



Appendix "B" as referred to in Section 13 of the recommendations presented to Council on July 6, 1999



PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend



Site of Application

Change in zoning :-

From "G" (Neighbourhood Shopping Centre, etc.) District
to "DE-3" (Multiple Dwellings) District, modified

Reference file:

ZAC-99-07

Scale

Not to Scale

Date

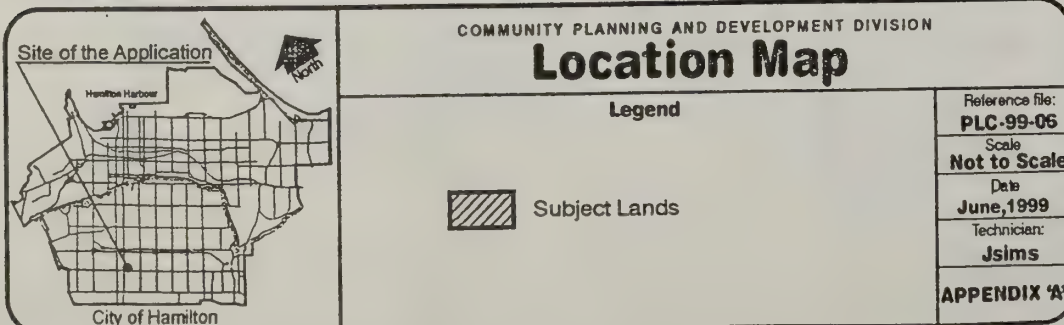
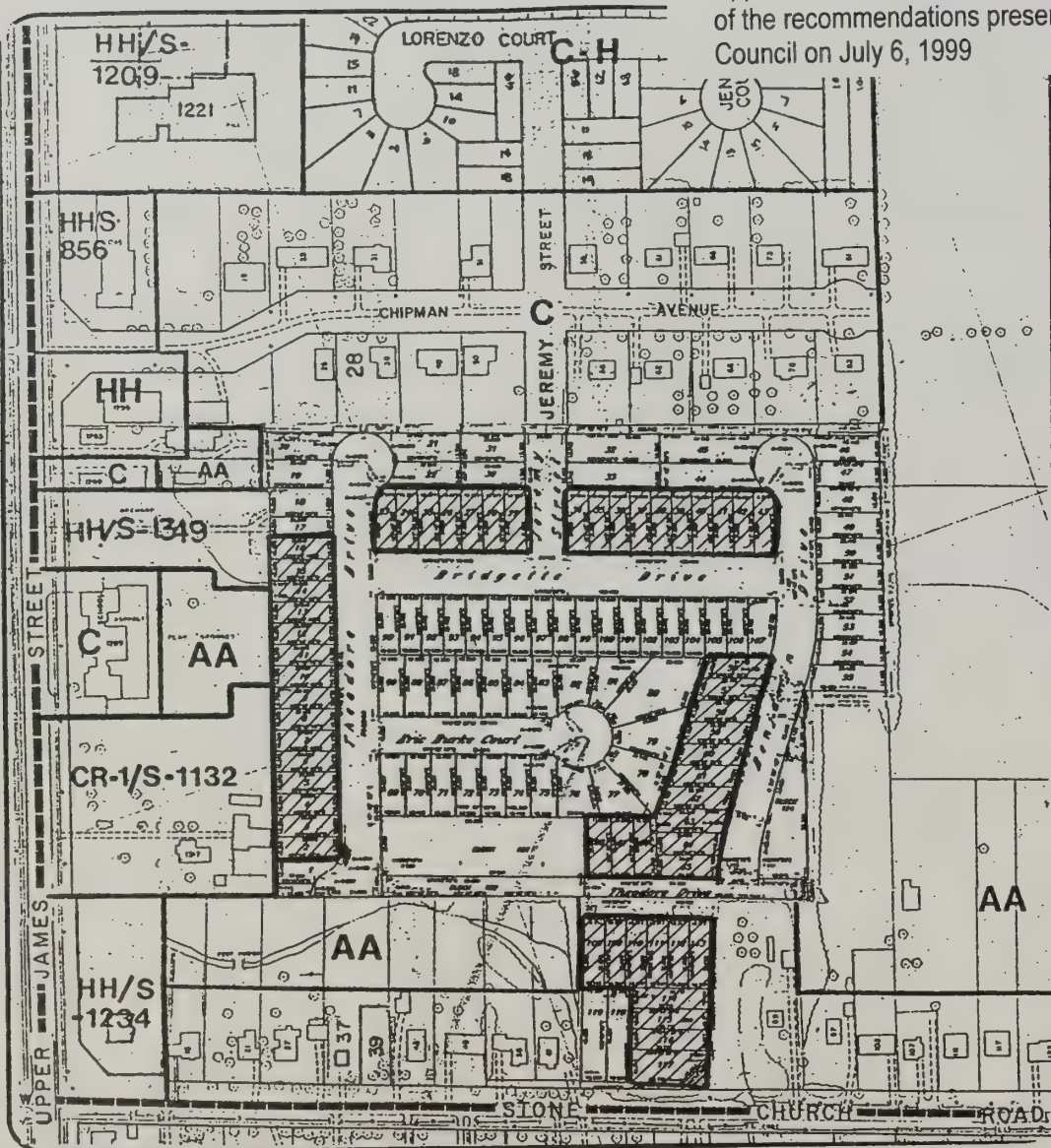
March, 1999

Technician:

FAB

APPENDIX A

Appendix "C" as referred to in Section 14
of the recommendations presented to
Council on July 6, 1999



Appendix "D" as referred to in Section 19
of the recommendations presented to
Council on July 6, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

1) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	72 RAY ST. S. 01 00940 5160 SEPTEMBER 9, 1999
2) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	219 EAST 13TH 07 08110 7400 NOVEMBER 26, 1999
3) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	130 SIMCOE ST. E. 02 01620 0790 SEPTEMBER 9, 1999
4) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	346 GUELPH ST. 05 03850 8310 SEPTEMBER 9, 1999
5) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	38 MYRTLE AVE. 03 02420 2810 SEPTEMBER 9, 1999
6) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	145 RICE AVE 08 10710 5190 September 9, 1999
7) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	1320 BARTON ST. E. 04 03145 9300 NOVEMBER 26, 1999
8) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	61 JOHN ST. S. 02 01445 6270 JANUARY 5, 2000
9) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	455 MELVIN AVE. 05 04920 5060 SEPTEMBER 9, 1999
10) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	458 EAST 38 TH ST. 07 06320 5690 SEPTEMBER 9, 1999
11) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	180 LIMERIDGE RD. W. #206 08 09840 0512 SEPTEMBER 15, 1999
12) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	7 ROWANWOOD ST. 04 02880 4640 SEPTEMBER 15, 1999
13) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	585 CORBETT ST. 05 05010 4720 SEPTEMBER 15, 1999
14) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	196 SHERMAN AVE. S. 03 02460 7950 NOVEMBER 26 1999
15) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	226 PICTON ST. E. 02 01710 3960 NOVEMBER 26, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

16)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	51 BRISTOL ST. 03 02370 0760 SEPTEMBER 29, 1999
17)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	77 BEACH BLVD. 05 05140 4330 SEPTEMBER 29, 1999
18)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	7 PATRICK ST. 02 01435 2950 NOVEMBER 26, 1999
19)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	44 EVANS ST. 03 02130 7740 SEPTEMBER 29, 1999
20)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	175 HUNTER ST. E. #203 02 01445 0500 September 29 ,1999
21)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	72 BIRCH AVE. 03 02345 4010 SEPTEMBER 29, 1999
22)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	515 MAIN ST. E. #16 03 02310 1177 SEPTEMBER 29, 1999
23)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	515 MAIN ST. E. #3 03 02310 1192 SEPTEMBER 29, 1999
24)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	515 MAIN ST. E. #12 03 02310 1201 SEPTEMBER 29, 1999
25)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	515 MAIN ST. E. #1 03 02310 1171 SEPTEMBER 29, 1999
26)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	16 GIBSON AVE. 003 02350 5050 OCTOBER 6, 1999
27)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	399 MARY ST. 02 01660 4970 OCTOBER 6, 1999
28)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	75 FRANCIS ST. 03 02220 4920 OCTOBER 6, 1999
29)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	192 KENSINGTON AVE. N. 04 02840 6950 OCTOBER 6, 1999
30)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	210 KENILWORTH AVE. N. 04 03310 1330 NOVEMBER 16, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

31) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	39 STANLEY AVE. 01 00930 3550 NOVEMBER 16, 1999
32) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	161 WENTWORTH ST. N. 03 02180 7130 NOVEMBER 16, 1999
33) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	30 DELAWARE AVE. 03 02420 6170 NOVEMBER 16, 1999
34) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	259 JOHN ST. S. 02 01420 2590 NOVEMBER 16, 1999
35) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	215 WEXFORD AVE. S. 04 03040 7170 NOVEMBER 16, 1999
36) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	207 BEACH BLVD. 05 05140 3400 NOVEMBER 16, 1999
37) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	90 GERTRUDE ST. 04 02880 0700 NOVEMBER 16, 1999
38) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	118 STEVEN ST. 03 02140 5390 NOVEMBER 16, 1999
39) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	22 QUINLAN CRT. 06 07010 3145 NOVEMBER 16, 1999
40) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	733 KING ST. E. 03 02325 6230 DECEMBER 12, 1999
41) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	186 TOLTON AVE. 05 03820 3910 JANUARY 19, 2000
42) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	297 WEST 18TH 08 09810 5840 JANUARY 5, 2000
43) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	68 HILLYARD ST. 03 02240 5380 JANUARY 5, 2000
44) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	325 BARTON ST. E. 03 02150 6290 JANUARY 5, 2000
45) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	43 ROWENA CRT. 06 07010 4736 JANUARY 5, 2000
46) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	188 CANNON ST. E. 02 01820 6200 JANUARY 5, 2000

SCHEDULE "A"
EXTENSION AGREEMENTS

47) PROPERTY ADDRESS
SERIAL NUMBER
REDEMPTION DATE

210 BURLINGTON ST. E.
02 01710 7820
JANUARY 5, 2000

48) PROPERTY ADDRESS
SERIAL NUMBER
REDEMPTION DATE

274 LAKE AVE. N.
05 04810 7780
JANUARY 5, 2000

APPENDIX "A"

Communication / Committees

- Political Approval:**
- City Council
 - Regional Council
 - Joint Committee of the Whole
 - Budget Steering Committee

Current Budget Working Committee - 7 Departmental / Division Administrators

- 1 Police Administrator
- 1 Budget Co-ordinator
- 1 Budget analyst responsible for HECFI, City Manager, Legislative and Boards.
- MANDATE: To co-ordinate budget submissions and communicate with operating divisions/departments

- Public Meetings**
- Two public meetings to be held to allow the public to review and ask questions regarding the Capital and Operating Budgets.
 - MANDATE: After presentation to BSC, staff will make a presentation and be available to answer questions.

Budget Communication & Promotion:

- 1- Budget Analyst
- 1- Communications Officer (Corp. Serv. Dept.)
- MANDATE – To communicate Budget Highlights to all staff throughout the process, production of budget documentation, and co-ordination and promotion of public meetings.

Capital & Development Co-ordinating Committee:

consolidate the CBRC and the DCC into one Committee to include representation from each division.

APPENDIX "B"

CITY OF HAMILTON / REGION OF HAMILTON-WENTWORTH YEAR 2000 BUDGET DEVELOPMENT PLAN SCHEDULE

Page 1

DEPT / DIVISION	CMT	BSC	PUBLIC MEETING	J-COW	REGIONAL COUNCIL	CITY COUNCIL
<u>Maintenance Budgets to Finance, including:</u>						
Restructuring savings						
Recommended program changes to achieve targets						
Proposed user fees and utility rates						
• Copy to Standing Committee for information only						
Capital Budget details to Finance						
<u>Current Budget Review:</u>						
Review Macro and individual budgets & approve recommended strategy			Sept. 29 (all day)			
Present overall Macro Budget & strategy				Oct. 7		
<u>Present Detailed Current Budgets:</u>						
Legislative / Management (Legislative, Chairman, City Manager), Human Resources, Finance				Oct. 7 a.m.		
Community Planning & Development, Community Services, Corporate Services, Social & Public Health Services				Oct. 7 p.m.		
Transportation, Operations & Environment				Oct. 14 a.m.		
Police & Other Boards				Oct. 14 p.m.		
Final review & direction re strategy				Oct. 14		
Overall Macro Budget presentation & approval of strategy as revised by BSC						Oct. 19

Appendix "B" as referred to in Section
of the 2nd Report for 1999 of the Joint
City/Region Budget Steering Committee

APPENDIX "B"
CITY OF HAMILTON / REGION OF HAMILTON-WENTWORTH
YEAR 2000 BUDGET DEVELOPMENT PLAN SCHEDULE

	<u>DEPT / DIVISION</u>	<u>CMT</u>	<u>BSC</u>	<u>PUBLIC MEETING</u>	<u>J-COW</u>	<u>REGIONAL COUNCIL</u>	<u>CITY COUNCIL</u>
<u>Capital Budget:</u>							
Presentation (details)		Oct. 18	Oct. 21	Oct. 22			
Approve & forward to BSC / J-COW		Oct. 18 (all day)	Oct. 28 (all day)		Nov. 2		
Distribution to J-COW					Nov. 18 Nov. 25		
Overview & approval (additional meeting if required)							
<u>Current Budget:</u>							
Macro Update and Review		Nov. 1	Nov. 4	Nov. 5			
Macro Update and Finalize			Nov. 11				
Distribution to J-COW					Nov. 15		
Overview & approval (additional meeting if required)					Nov. 25 Dec. 2		
Put Maintenance Budget into Peoplesoft - Finance	Nov. 30						
Approval of Tax Rates, User Fees, Utility Rates, By-Laws						Dec. 7	
Approval of Tax Rates, User Fees, By-Laws							Dec. 14

Appendix "C" Revised

Appendix "C" as referred to in Section
of the 3rd Report for 1999 of the Joint
City/Region Budget Steering Committee

Year 2000 Budget Guildelines

City Of Hamilton/
Region Of Hamilton-Wentworth

	<u>1999 Approved Budget</u> \$m	<u>Reduction Required</u> \$m	<u>2000 Budget Target</u> \$m	<u>% Change</u>
Operating Levy <i>(Includes Boards, Agencies, Police)</i>	360.9	(16.9) **	344.0	(4.7)%
Capital Levy <i>As recommended in 1999</i>	49.7	4.5	54.2	9.1%
Recommended Option	<u>410.6</u>	<u>(12.4)</u>	<u>398.2</u>	<u>(3.0)%</u>

** Represents the reduction required from the 1999 base budget. Any increases to the base budget resulting from increases in downloaded services, contract and inflationary increases must also be offset.

APPENDIX "D"

Budget Policy Recommendations

- 1) That future years' incremental operating costs resulting from capital projects not be added to the operating budget for the City Of Hamilton in the 2000 Budget.
- 2) That staff review the feasibility of including both operating costs and Debt Charges for new capital projects in the year the capital project is approved starting in the year 2001 for both the City and Region.

The Region and the City of Hamilton currently have differing policies with respect to operating budget impacts resulting from capital budget expenditures. This is due to the differences in the general nature of capital spending by the two corporations.

Regional expenditures are primarily for "hard" infrastructure such as roads, water, and sewer construction. Operating budget impacts would typically be for long-term maintenance of the infrastructure. As such, there are no identifiable short-term increases that can be identified and added to the operating budget.

City of Hamilton capital expenditures on the other hand are typically for "soft" infrastructure such as recreation centers, libraries, and parks. These types of capital expenditures often result in significant staffing and/or maintenance costs. As such, the City of Hamilton adds incremental operating costs to the operating budget in the year that the budgeted capital expenditure is committed. Any operating costs that do not actually occur are used to reduce future years operating costs, and are phased in over a number of years to smooth the overall impact on the operating budget.

For the year 2000 budget process, significant reductions in operating costs are projected to be required. To reduce the burden of budget cuts required by operating departments, it is recommended that incremental operating costs resulting from capital expenditures be included in the operating budgets starting in the year that these costs are expected to incur rather than in the year of capital spending.

For the year 2001, it is recommended that Finance staff look into the feasibility of adding both operating costs as well as debt financing costs to the operating budgets in the year of capital spending. Any funds not required in the years of capital spending could then be used to reduce net capital expenditures requiring Region or City funding.

- 3) That the annualized savings of an approved program reduction be deducted from the operating budget in the year of approval, and
- 4) That the Tax Stabilization Reserve fund any difference between the annualized savings and the current year savings which results in a deficit to the division.
- 5) That the current year cost of an approved new/enhanced program be added to the operating budget in the year of approval; and that the difference between the current year cost and the annualized cost of the program be added to the corporate financial budget in the year of approval as a transfer to the Tax Stabilization Reserve; and
- 6) That the transfer to the Tax Stabilization Reserve noted in item (5) above not exceed the divisional surplus for the current year; and
- 7) That the difference between the current year cost and the annualized cost budget base for the new/enhanced program be transferred from the corporate financial budget to the divisional budget in the year following approval of the new/enhanced program.
- 8) That one-time expenditures be funded from the Tax Stabilization Reserve in the year of approval.

CAY ON HBL A05
M21
1999

July 7, 1999

**URBAN
MUNICIPAL**

**Minutes of the Special Meeting of City Council
Tuesday, July 7, 1999
2:15 o'clock p.m.
Liuna Gardens, Winona, Ontario**

The Council met:

Present: Mayor R. M. Morrow, Chairman.
Aldermen M. Caplan, A. Horwath, R. Corsini, D. Wilson, C. Collins,
B. Charters, T. Anderson, B. Kelly, D. O'Sullivan.

Absent: Alderman M. Kiss – Bereavement
Alderman B. Morelli – Other Business
Alderman D. Haining – Other Business
Alderman G. Copps – City Business
Alderman F. Eisenberger – Vacation
Alderman T. Jackson – Personal Business
Alderman F. D'Amico – Illness

Mayor R. M. Morrow called the meeting to order.

WAIVING OF THE RULES OF ORDER

It was moved by Alderman Caplan and seconded by Alderman Wilson that the Rules of Order respecting the calling of a special meeting of City Council be waived for the purpose of allowing consideration of an item respecting Early Retirement Incentive Plan and Service Delivery.

CARRIED.

It was moved by Alderman O'Sullivan and seconded by Alderman Collins

1. (a) That the recommendation of Watson Wyatt to implement an Early Retirement Incentive Plan be approved at a cost of \$12 million and be funded from a new reserve (Administrative Amalgamation Reserve) created from the proceeds of the \$25 million Provincial Restructuring Fund; and,
- (b) That the General Manager of Human Resources be authorized and directed to enter into negotiations with the appropriate Civic/Regional Unions concerning the implementation of early retirement and job security provisions; and,

- (c) That Council approve the allocation of \$1.5 million to be funded from a new reserve (Administrative Amalgamation Reserve) created from the proceeds of the \$25 million Provincial Restructuring Fund, which will assist in retraining, succession planning and change management activities within the Corporation, subject to the authorization of the Council or the City Manager where appropriate.
2. (a) That the City Manager and Corporate Management Team be authorized and directed to undertake a full review of service delivery options with a view to increasing the effectiveness and efficiency of the organization without compromising service; and,
- (b) That any changes in service levels or use of alternative service delivery be subject to the approval of Council; and
- (c) That the City Manager report to Council in early September 1999 with respect to service delivery options and administrative structure.
3. That Bill F-6 be adopted, signed, sealed and enrolled as a By-law
- F-6: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton. **CARRIED.**

City Council then adjourned at 2:20 o'clock p.m.

Taken as read and approved.

MAYOR R. M. MORROW
CHAIRMAN

J. J. Schatz, Municipal Clerk
July 7, 1999
JJS/dg

CAY ON HBL AOS
M21
1999

August 11, 1999

**URBAN
MUNICIPAL**

Minutes of Hamilton City Council
Wednesday, August 11, 1999
3:55 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

AUG 31 1999

GOVERNMENT DOCUMENTS

The Council met:

There were present: Acting Mayor B Morelli, Chairman
Aldermen M. Kiss, M. Caplan, A. Horwath,
D. Wilson, G. Copps, C. Collins, F. Eisenberger,
B. Charters, B. Kelly, D. O'Sullivan.

Absent: Mayor R. M. Morrow - vacation
Alderman R. Corsini - vacation
Alderman D. Haining - city business
Alderman T. Jackson - vacation
Alderman T. Anderson - other business
Alderman F. D'Amico - vacation

Acting Mayor B. Morelli called the meeting to order.

ADOPTION OF MINUTES

The minutes of the meetings held June 28, 1999 (special)
June 29, 1999 (regular)
July 6, 1999 (special)
July 7, 1999 (special)

were adopted as circulated.

CORRESPONDENCE

1. Letter dated July 26, 1999 from R. S. Smith, Port Counsel, Hamilton Harbour Commissioners respecting Amendments to Hamilton Harbour Commissioners' Land Use and Development By-law.

Referred to the Planning and Development Committee.

2. Letter dated July 26, 1999 from Dominic Agostino, M.P.P., respecting proposed Halfway House at 1760 King Street East, Hamilton, Ontario.

It was moved by Alderman Wilson and seconded by Alderman Eisenberger that this Correspondence be referred to the Finance and Administration Committee.

CARRIED.

Recorded vote.

YEAS: Acting Mayor Morelli, Aldermen Kiss, Caplan, Horwath, Wilson, Eisenberger, Collins, Charters, Kelly, O'Sullivan. -10.

NAYS: Alderman Copps. -1.

CARRIED.

3. Information Report dated July 23, 1999 from J. J. Schatz, Municipal Clerk respecting an objection to Zoning By-law 99-087 regarding 803, 819, 823, 865 and 871 West Fifth Street, Hamilton, Ontario.

Received.

4. Application dated July 5, 1999 from Rehoboth United Reformed Church, 241 StoneChurch Road East, Hamilton for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for lands located at Hawkswood Trail, South of Falconridge and West of Hawkswood Trail, Hamilton, Ontario.

Received.

5. Application dated July 8, 1999 from Gordon and Esther Pauls, 1431 Upper Wellington Street and Harry and Helen Bazuin, 1423 Upper Wellington Street for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 1423 Upper Wellington Street, Hamilton, Ontario.

Received.

6. Application dated July 7, 1999 from Jomar Development Corp. Inc. c/o Joe Kutlesa, 28 Corinthian Drive, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "RT-20" (Townhouse – Maisonette) District for (Block "1" and "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse – Maisonette) District for (Block "2") for 723 Rymal Road West, Hamilton, Ontario.

Received.

7. Application dated July 8, 1999 from Bruce New, 62 Florence Street, Hamilton, Ontario for a further modification to the established "E-3" (High Density Multiple Dwellings) District modified for lands located at 24 and 30 Hess Street South, Hamilton, Ontario.

Received.

8. Application dated July 8, 1999 from Frank Finelli, 84 Purdy Crescent, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for lands located at the rear of 1515 and 1519 Upper Sherman Avenue, Hamilton, Ontario

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee, be considered in Committee of the Whole with Acting Mayor Morelli in the chair.

Recorded vote.

YEAS: Acting Mayor Morelli, Aldermen Kiss, Caplan, Horwath, Copps, Wilson, Eisenberger, Collins, Charters, Kelly, O'Sullivan. -11.

NAYS: -0.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – FIFTEENTH REPORT

FINANCE AND ADMINISTRATION COMMITTEE – THIRTEENTH REPORT

Section 2 Re: Copps Coliseum – Consumption of Alcohol at Bulldog Games

Recorded vote.

YEAS: Acting Mayor Morelli, Aldermen Kiss, Caplan, Horwath, Wilson, Eisenberger, Collins, Charters, Kelly, O'Sullivan. -10.

NAYS: Alderman Copps. -1.

CARRIED.

NOMINATING COMMITTEE – FOURTH REPORT

RESOLUTIONS

Rule No. 9 Re: Tour Trans-Canada Race – Alcoholic Beverages

It was moved by Alderman Kiss and seconded by Alderman Caplan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the Tour Trans-Canada Race to have alcoholic beverages in Harvey Park. **CARRIED.**

Re: Alcohol in Parks – Tour Trans-Canada Race

It was moved by Alderman Kiss and seconded by Alderman Caplan:

That approval as required by Parks By-Law 95-126, Section 11, to have alcoholic beverages in a park be given to the Tour Trans-Canada Race organizers for a race reception on September 10, 1999 from 1:00 p.m. – 5:00 p.m. in Harvey Park in conjunction with the Trans Canada Cycling Tour; and, is subject to the Terms and Conditions of the Special Events Guidelines. **CARRIED.**

* * * * *

Rule No. 9 Re: Temporary Barricade at Mead Avenue and Brighton Street.

It was moved by Alderman Wilson and seconded by Alderman Copps that Rule No. 9 of the City Procedural By-law be invoked for this meeting of City Council in order to consider a motion on the temporary barricade at Mead Avenue and Brighton Street. **CARRIED.**

Temporary Barricade at Mead Avenue and Brighton Street.

It was moved by Alderman Wilson and seconded by Alderman Copps that the barricade at the intersection of Mead Avenue and Brighton Street be removed.

CARRIED.

* * * * *

**NOTICE OF MOTION FROM PREVIOUS MEETING
May 25, 1999**

It was moved by Alderman Caplan and seconded by Alderman Collins:

"That the City of Hamilton, as a millenium project, plant 1,000 trees over the next ten (10) years; and

That the increase of our urban forest be dedicated in an appropriate manner to honour Hamiltonians."

* * * * *

It was subsequently moved by Alderman Caplan and seconded by Alderman Collins that the above motion be referred to the Millenium Committee:

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and resolutions be adopted.

Recorded vote.

YEAS: Acting Mayor Morelli, Aldermen Kiss, Caplan, Horwath, Copps, Wilson, Eisenberger, Collins, Charters, Kelly, O'Sullivan. -11.

NAYS: -0.

CARRIED.

August 11, 1999

City Council then adjourned at 4:15 o'clock p.m.

Taken as read and approved.

ACTING MAYOR B. MORELLI
CHAIRMAN

J. J. Schatz, Municipal Clerk
August 11, 1999
JJS\dg

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIFTEENTH** Report for 1999 and respectfully recommends:

1. **ZA-99-16, North west corner of Upper James Street and Limeridge Road West (formerly 1078 Upper James Street). (PDC99038)**
 - (a) That approval be given to Zoning Application ZAR-99-16, by Mark Pillinini, owner, for a change in zoning from "HH" (Restricted Community Shopping and Commercial) District to "C" (Urban Protected Residential, etc.) District, to permit the development of a single family dwelling in conjunction with adjacent lands to the west, for lands located at the north-west corner of Upper James Street and Limeridge Road (formerly known as 1078 Upper James Street), as shown on the attached map marked as APPENDIX "A", on the following basis:
 - (i) That the subject lands be rezoned from "HH" (Restricted Community Shopping and Commercial) District to "C" (Urban Protected Residential, etc.) District; and,
 - (ii) That the "C" (Urban Protected Residential, etc.) District regulations, as contained in Section 9 of Zoning By-law No. 6593, be further amended only to the extent of the following special requirement:
 - (a) access to the subject lands shall only be provided from Limeridge Road West; and,
 - (iii) That the amending By-law be added to Section 19 of Zoning By-law No. 6593, as Section S-1430, and that the subject lands on Zoning District Map W-9A be notated S-1430; and,
 - (iv) That Corporate Counsel be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9A for presentation to Council; and,
 - (v) That upon approval of the Zoning By-law Amendment, the Yeoville Neighbourhood Plan be amended to redesignate

the subject lands and the adjacent lands to the west, from "Commercial" to "Residential"; and,

- (vi) The proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,
- (b) That the amending by-law not be forwarded to City Council for approval until the applicant has:
 - (i) submitted a signed Record of Site Condition (RSC) to the Region and Ministry of Environment (MOE), to the satisfaction of the Region and the MOE, including an acknowledgement of the receipt of the RSC by the MOE, or sufficient information is provided that satisfies the equivalent requirement for an RSC; and,
 - (ii) submitted a noise assessment study to the Region investigating noise levels impacting the proposed development and recommending noise control measures (if applicable), with said study and noise control measures to the satisfaction of the Region; and,
 - (iii) agreed to include in an agreement of purchase and sale, and register on title the following noise warning clause for the subject lands, if recommended in the noise assessment study, or at the request of the Region:

"Purchasers are advised that despite the inclusion of noise control measures within the development area and within the individual building unit, noise levels may become of concern, occasionally interfering with some activities of the occupants."

2. ZA-99-14, 54 and 56 Alanson Street. (PDC99045)

That approval be given to amended Zoning Application 99-14, H.&R. Wein Construction, prospective owner, requesting a modification to the established "D" (Urban Protected Residential – One and Two Family Dwellings, etc) District, to permit six (6) residential dwelling units within the existing building, for the property located at 54 and 56 Alanson Street, as shown on the attached map marked as APPENDIX "B", on the following basis:

- (a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., 1990, to the subject lands by

introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the lands until:

- (i) The applicant submits a signed Record of Site Condition (RSC) to the Region and Ministry of Environment (MOE). This RSC must be to the satisfaction of the Region, including an acknowledgement of receipt of the RSC by the Ministry of Environment and Energy; and,
- (ii) Completion by a qualified consultant of a noise/vibration assessment study investigating noise/vibration levels impacting the proposed development and recommending noise/vibration control measures (if applicable), with study and noise/vibration control measures being to the satisfaction of the Region.

City Council may remove the 'H' symbol, and thereby give effect to the "D" District provisions as stipulated in this By-law by enactment of an amending By-law once the conditions are fulfilled; and,

- (b) That the "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District regulations, as contained in Section 10. of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special provisions:
 - (i) That notwithstanding Section 10. of Zoning By-law No. 6593, a multiple dwelling containing a maximum of six (6) dwelling units, subject to the Residential Conversion Requirements of Section 19. (1) shall be permitted only within the building, existing on the day of passing of this by-law; and,
 - (ii) That notwithstanding Section 18.(3)(vi)(d) of Zoning By-law No. 6593, a front yard setback of 0.29 m minimum shall be provided and maintained for the front porch; and,
 - (iii) That notwithstanding Section 18A. of Zoning By-law No. 6593, a parking area with provision for seven (7) cars shall be provided and maintained on the lot; and,
 - (iv) That Section 18A.(1)(c) of Zoning By-law No. 6593, shall not apply; and,
 - (v) That a minimum landscape area of 33.0 m² at grade (5.35% of the lot area) shall be provided and maintained on the lot; and,

- (c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1431, and that the subject lands on Zoning District Map E-14 be notated as S-1431; and,
- (d) That Corporate Counsel be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-14 for presentation to City Council; and,
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

3. ZA-99-17, North of Rymal Road East fronting on Eaglewood Drive. (PDC99044)

That approval be given to Zoning Application 99-17, Robert Shelley Construction Ltd., owner, requesting changes in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for Blocks "1" and "2", for property located north of Rymal Road East fronting on Eaglewood Drive, as shown on the attached map marked as APPENDIX "C", on the following basis:

- (a) That Block "1" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,
- (b) That Block "2" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,
- (c) That the Director, Land Development Department, Community Planning and Development Division be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38D for presentation to City Council; and,
- (d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

4. ZA-99-21, North-West corner of Rymal Road East and Upper Wellington Street, fronting onto the future extension of Marilyn Court. (PDC99047)

That approval be given to Zoning Application ZAC-99-21, Paul Silvestri, owner, for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single Family) District, to permit the use of the subject lands for small lot single family residential uses, for lands located at the north-west corner of Rymal Road East and Upper Wellington Street, fronting onto the

future extension of Marilyn Court, as shown on the attached map marked as APPENDIX "D", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single Family) District; and,
- (b) That the General Manager, Community Planning and Development Division be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9D for presentation to City Council; and,
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

5. CI-99-C, Official Plan Amendment for 505 to 537 Queenston Road and Modifications in Zoning for 509 and 531 Queenston Road. (PDC99036)

- A. That Approval be given to Official Plan Amendment No. 162, to establish a "Special Policy Area" to permit limited commercial uses within the existing buildings, for lands located at Nos. 505 to 537 Queenston Road, as shown on the attached map marked as Appendix "E", as follows:
 - (a) In addition to the permitted uses set out in Subsection A.2.1 - Residential Uses, limited commercial uses will be permitted within the existing buildings, provided the following criteria are met:
 - (i) Commercial uses will be restricted to low impact type uses, such as offices, service uses and small scale retail uses. High traffic generating uses and highway type commercial uses, such as restaurants, billiard halls, automotive uses and service stations, will not be permitted; and,
 - (ii) Appropriate buffering will be provided between commercial uses and adjacent residential uses to mitigate potential adverse impacts, such as negative visual impacts, reduced privacy, increased noise, and light from parking areas. In this regard, measures such as setbacks, landscape strips and visual barriers may be used; and,

- (iii) The low profile character of the area will be maintained. Accordingly, streetscape features and enhancements consistent with the residential character of the area will be provided, including the provision of landscaping along Queenston Road and Woodman Drive, and the preservation of existing vegetation. Also, alterations to building facades will be limited and business identification signs will be restricted; and,
 - (iv) Enlargements or additions to the existing buildings may be permitted only if they are in keeping with the established built form and residential character of the area; and,
 - (v) Sufficient parking and maneuvering spaces are to be provided on-site for commercial and residential components; and,
 - (b) "Special Policy Area 79", which permits a naturopathic office within the existing building at No. 537 Queenston Road, will be deleted and the lands incorporated into the new "Special Policy Area" as noted above; and,
 - (c) That the General Manager of Community Planning and Development be authorized and directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth, in a form satisfactory to Corporate Counsel; and,
- B. That the Approved Kentley Neighbourhood Plan be modified by redesignating lands from "Low Density Apartments" to "Single and Double Residential and Commercial Conversions" and by adding a note that states: "Commercial Conversions at 505 to 537 Queenston Road are subject to Design Guidelines as Approved by Council"; and,
- C. That the Urban Design Guidelines attached as Appendix "F" be adopted for the subject lands; and,
- D. That Approval be given to City Initiative 99-C, for modifications to the established "B-1" (Suburban Agriculture and Residential, etc.) District regulations, to permit a denture clinic for the lands located at No. 509 Queenston Road (Block "1") and to permit a medical office for the lands located at No. 531 Queenston Road (Block "2"), shown

as Blocks "1" and "2" on the attached map marked as APPENDIX "E", on the following basis:

- (a) That the "B-1" (Suburban Agriculture and Residential, etc.) District regulations, as contained in Section 8A of Zoning By-law No. 6593, applicable to Block "1" (No. 509 Queenston Road), be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 8A(1) of Zoning By-law 6593, the following additional uses shall be permitted:
 - 1. A denture clinic on the ground floor of the existing building only.
 - 2. One ground sign that shall not exceed 0.8 m in vertical dimension or 0.6 m² in area and shall not be illuminated unless the source of light is steady and suitably shielded to contain illumination.
 - 3. One wall sign that shall not exceed an area of 1.2 m² and shall not be illuminated unless the source of light is steady and suitably shielded to contain illumination; and,
 - (ii) Notwithstanding Section 8A.(3)(i), a ground sign may be setback 0.0 m from the front lot line; and,
 - (iii) Sections 18A(11) and 18A(12) of Zoning By-law 6593 shall not apply ; and,
 - (iv) Section 18A(14g) Zoning By-law 6593 shall not apply; and,
 - (v) Section 18A(26) of Zoning By-law 6593 shall not apply; and,
 - (vi) That a landscaped planting strip of not less than 1.5 m in width shall be provided and maintained along the southerly lot line, adjacent to Queenston Road, except any area used for vehicular access, only where an encroachment agreement for landscaping has not been entered into with the Region of Hamilton-Wentworth, for a minimum 1.5 m wide landscaped

planting strip within the widened road allowance limits of Queenston Road; and,

- (vii) That a visual barrier not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the entire northerly lot line and along the easterly lot line, commencing at the northerly lot line, southerly for a distance of at least 26 m; and,
- (b) That the "B-1" (Suburban Agriculture and Residential, etc.) District regulations, as contained in Section 8A of Zoning By-law No. 6593, applicable to Block "2" (No. 531 Queenston Road), be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 8A(1) of Zoning By-law 6593, the following additional uses shall be permitted:
 - 1. A medical office on the ground floor of the existing building only.
 - 2. One ground sign that shall not exceed 1.7 m in vertical dimension or 0.7 m² in area and shall not be illuminated unless the source of light is steady and suitably shielded to contain illumination; and,
 - (ii) Notwithstanding Section 8A.(3)(i), a ground sign may be setback 0.0 m from the front lot line; and,
 - (iii) Sections 18A(11) and 18A(12) of Zoning By-law 6593 shall not apply; and,
 - (iv) That a landscaped planting strip of an average width of 1.0 m, but not less than 0.9 m, shall be provided and maintained along the northerly lot line, commencing at the easterly lot line for a distance of at least 8 m westerly; and,
 - (v) That a visual barrier not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the entire northerly lot line; and,
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593, as Section S-1432, and that the

subject lands on Zoning District Map E-95 be notated S-1432; and,

- (d) That Corporate Counsel be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-95 for presentation to City Council; and,
- (e) That the proposed modifications in zoning will be in conformity with the Official Plan for the City of Hamilton Planning Area upon approval of Official Plan Amendment No. 162 by the Regional Municipality of Hamilton Wentworth; and,
- E. That the implementing Zoning By-law be held in abeyance until the applicants/owners have received Site Plan approval and entered into Site Plan agreements with the City of Hamilton; and,
- F. That Site Plan Control By-law No. 79-275, as amended by By-law No. 87-233, be amended by adding Nos. 509 and 531 Queenston Road to Schedule "A".

6. ZA-99-19, West of Chedmac Drive. (PDC99046)

- A.(a) That approval be given to Official Plan Amendment No. 164 to redesignate the subject lands from "Residential" to "Major Institutional" to permit a nursing home for lands located on Chedmac Drive, as shown on the attached map marked as Appendix "G", on the following basis:
 - (i) That the subject lands be redesignated from "Residential" to "Institutional" on Schedule A of the Official Plan; and,
 - (ii) That the subject lands be redesignated from "Medium Density Residential" to "Major Institutional" on "Chedmac Secondary Plan Schedule J-1"; and,
 - (iii) That Subsection A.6.1.2. i) (5), respecting Medium Density II residential development, be deleted in its entirety; and,
 - (iv) That Subsection A.6.1.2 ii) be deleted in its entirety and replaced with the following:

- "ii) It is intended that Chedoke-McMaster Hospitals be recognized as a valuable Community and Regional Health facility. In addition, other institutional uses, including the Twin Pad Arena and the nursing home located on the south side of Chedmac Drive, provide community services to the Neighbourhood and Community. Lands designated "Institutional" shall be developed in accordance with the attached Schedule "J-1" – Chedmac Planning Area Secondary Plan, Subsection A.2.6 – Major Institutional Uses of this Plan, and the following policies:
 - (a) New Major Institutional health related facilities shall be designed to facilitate a comprehensive campus-like setting.
 - (b) New Major Institutional recreational facilities shall be designed in a comprehensive manner with existing recreations facilities.
 - (c) The development of any new institutional facilities, including those associated with Chedoke-McMaster Hospitals, shall be designed to mitigate any negative impact on adjacent residential development.
 - (d) A nursing home located on the south side of Chedmac Drive shall have a maximum capacity of 160 residents."; and,
 - (v) That Subsection A.6.1.2.iv)f) be revised by replacing the phrase "townhouse/apartment" with "townhouse"; and,
 - (b) That the Corporate Counsel be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth; and,
- B. That approval be given to Zoning Application ZAC-99-19, Extendacare Inc., prospective owner, for a further modification to the established "DE-3" – 'H' (Multiple Dwellings- Holding) District, to permit the use of the subject lands for a nursing home for lands located west of Chedmac Drive, as shown on the attached map marked as APPENDIX "G", on the following basis:

- (a) That the subject lands be rezoned from "DE-3" – 'H' (Multiple Dwellings – Holding) District to "DE-3" (Multiple Dwellings) District; and,
- (b) That Subsection 3. of Zoning By-law No. 96-152, be repealed in its entirety and replaced with the following:

"The "DE-3" (Multiple Dwellings) District provisions, as contained in Section 10C. of Zoning By-law No. 6593, applicable to the lands comprised in Block 4 are amended to the extent only of the special requirement that,

- (i) notwithstanding Section 10.C.(1) of Zoning By-law No. 6593, only the following use shall be permitted:

a nursing home having a maximum capacity of 160 residents, in a building of not greater than 2 storeys in height; and,

- (ii) in addition to the permitted use specified in Section 3.(a)(i) of this by-law, an amenity centre of not less than 500 square metres, accessory to the residential use specified in Section 3.(a)(i) of the by-law, shall be required; and,

for the purposes of this by-law, "Amenity Centre" shall include one or more of the following uses:

1. Administrative offices;
2. Chapel;
3. Library;
4. Activity and Exercise rooms;
5. Lounges;
6. Dining Room;
7. Variety Store;
8. Hairdresser;
9. Barber shop; and,

- (iii) for a nursing home permitted in Section 3.(a)(i) of this by-law, one ground sign shall be permitted subject to the following requirements:

1. No sign shall exceed 1.8 metres in height; and,
2. The total aggregate area of the ground sign shall not exceed 5.8 square metres; and,

3. The ground sign shall be located not less than 2.0 m from any lot line; and,
 4. No sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination"; and,
- (c) That the Corporate Counsel be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-36 and W-37 for presentation to City Council; and,
 - (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1363a, and that the subject lands on Zoning District Map W-36 and W-37 be notated as S-1363a; and,
 - (e) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of the proposed Official Plan Amendment No. 164 by the Region of Hamilton-Wentworth; and,
 - (f) That upon finalization of the implementing Zoning By-law, the approved Mountivew Neighbourhood Plan be amended to redesignate the subject lands from "Medium Density Apartments" Residential to "Civic and Institutional".

7. ZA-99-23, 39-41 Devonport Street. (PDC99040)

- A. That approval be given to Official Plan Amendment No. 163 to establish a Special Policy Area to permit a parking lot in a Residential designation, on lands known municipally as 39-41 Devonport Street, as shown on the attached map marked as APPENDIX "H", and that the Corporate Counsel be directed to prepare a By-law of Adoption for submission to the Regional Municipality of Hamilton-Wentworth; and,
- B. That approval be given Zoning Application ZAC-99-23, by Hamilton-Burlington & District Real Estate Board, owner, for a change in zoning from "L-mr-2" (Planned Development – Multiple Residential) District, modified (Block "1") and "L-mr-2" (Planned

Development – Multiple Residential) District (Block “2”) to “G-3” (Public Parking Lots) District, to permit the expansion of an existing parking lot, for lands located at 39-41 Devonport Street, as shown on the attached map marked as APPENDIX “I” on the following basis:

- (a) That Section 17B(6)(a)(iii) of Zoning By-law No. 6593 shall not apply; and,
- (b) That Block “1” be rezoned from “L-mr-2” (Planned Development – Multiple Residential) District, modified to “G-3” (Public Parking Lots) District; and,
- (c) That Block “2” be rezoned from “L-mr-2” (Planned Development – Multiple Residential) District to “G-3” (Public Parking Lots) District; and,
- (d) That the “G-3” (Public Parking Lots) District regulations, as contained in Section 13C of Zoning By-law No. 6593, applicable to Block “1” be modified to include the following variances as special requirements:
 - (i) That Section 13C(4)(ii) shall not apply to the southerly lot line; and,
 - (ii) That notwithstanding Section 18A(1)(f) and TABLE 6, manoeuvring space with an aisle width of not less than 5.0 m shall be provided and maintained; and,
 - (iii) That notwithstanding Section 18A (7), a parking space width of not less than 2.6 m shall be provided and maintained; and,
- (e) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Section S-717d, and that the subject lands on Zoning District Map W-11 be notated as S-717d; and,
- (f) That the Corporate Counsel be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-11 for presentation to City Council; and,
- (g) That the proposed change and modification in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of the proposed Official Plan

Amendment No. 163 by the Region of Hamilton-Wentworth;
and,

- (h) That upon finalization of the Zoning By-law, the approved Strathcona Neighbourhood Plan be modified to add the note "Commercial uses shall be restricted to a public parking area".

8. CI-96-I, Elimination of Residential Parking and Loading Requirements in the Downtown. (PDC99042)

That approval be given to City Initiative 96-I to extend the time period for the elimination of the residential parking and loading requirements until September 1, 2002, except for residential care facilities and short term care facilities, in the downtown area, as shown on the attached map marked as APPENDIX "I", on the following basis:

- (a) That the requirements, as contained in Section 18A of Zoning By-law No. 6593, as modified by By-law No. 97-015, be further amended to extend the time period for the elimination of the residential parking and loading requirements in the downtown area, as shown on Schedule "K" of Zoning By-law No. 6593 as follows:

That Section 18A.(42) be amended by deleting the words *November 1, 1996 and September 1, 1999* at the end of the clause and replacing them with *September 1, 1999 and September 1, 2002* so the entire clause reads as follows:

"Except for residential care facilities and short term care facilities, where residential uses mentioned on paragraph 1 in Table 1 and Table 3 are located in the area shown on Schedule "K", no parking and loading will be required for residential uses established within the period between *September 1, 1999 and September 1, 2002.*"; and,

- (b) That Corporate Counsel be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,
- (c) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

9. Amendments to the Tax Incentive Program for Designated Heritage Buildings in the Downtown Core

That Council's approval of the Tax Incentive Program for Designated Heritage Buildings in the Downtown passed on 1999 April 13 (9th Report, Planning and Development Committee, item 5) be amended as follows:

- (a) Reference to the proposed amendment to the Downtown Hamilton Community Improvement Plan authorized by Council on 1999 April 13 be deleted; and,
- (b) That the provision of grants for the Tax Incentive Program be authorized pursuant to the provisions of the Ontario Heritage Act, Part IV, Section 39; and,
- (c) That the General Manager, Community Planning & Development Division be directed to circulate notice of this Program to the owners of the eligible designated historic properties; and,
- (c) That the requirement for the applicant to sign a Heritage Conservation Easement for rebates (grants) over \$15,000. be added to the Tax Incentive Program—Eligibility Criteria.

10. Tax Incentive Program for Designated Heritage Buildings- Lister Block Application

That Council's approval of a grant towards the restoration costs of the designated historic Lister Block building passed on 1999 June 29 (item 26, 13th Report, Planning & Development Committee) be amended as follows:

- (a) Deletion of the condition that the proposed grant is conditional upon enactment of a by-law to amend the Downtown Hamilton Community Improvement Plan; and,
- (b) Adding to the said June 29 resolution the following provision: "This proposed grant is made pursuant to the Ontario Heritage Act and the "Tax Incentive Program" adopted by Council on 1999 August 11."; and,
- (c) Adding to the said June 29 resolution the following condition: "Prior to the payment of any portion of the rebate (grant), the owner of the Lister Block building shall have prepared, registered and dedicated to the City a Heritage Conservation Easement in the City's standard form."

11. Open for Business Policy (PDC99037)

- (a) That the current "Open for Business" Policy as adopted by Council be continued for a further period of three years, to August 31, 2002; and,
- (b) That the rebate for parkland dedication under this Policy be refunded to the Reserve for Parkland from the general tax levy; and,
- (c) That the Open for Business Policy be expanded to the Central Area (bounded by Queen Street, the Escarpment, Victoria Avenue, and Hamilton Harbour) for residential development only, with the exception of Residential Care Facilities and Short Term Care Facilities, in accordance with Recommendations 1 and 2 above; and,
- (d) That staff be directed to prepare a Community Improvement Plan for the residential expansion area, in accordance with Recommendation 3 above; and,
- (e) That Corporate Counsel be authorized and directed to prepare the appropriate by-law for presentation to City Council.

12. Request for Reduction in Security Requirements, under site Plan Control -1800 King Street East (PDC99054)

That the request for a reduction in the Security Requirements to \$30,000.00 whereas \$33,100 is required under Site Plan Control DA-99-22, by Jadwiga Weiss, owner of lands at 1800 King Street East for a seventeen (17) person senior citizen residential care facility within the existing building (former Hamilton Star Temple), as shown on the attached map marked as Appendix "J", be denied.

13. Bellevue, 14 Belvidere Avenue – Building Permit Regulations

That the Municipal Clerk provide the owner of 14 Belvidere Avenue, by registered mail, a copy of Bill Pr140, An Act respecting the City of Hamilton, which prescribes the time period for the owner to substantially complete the new building to be erected on the site within two years of the commencement of the demolition or removal of the existing designated building (Bellevue).

14. McMaster University Area Neighbourhood Task Force - Phase 1 Implementation of the Final Report (MTF99002)

- (a) That the Building Department and Legal Services Division be authorized and directed to prepare amendments to the Property Standards By-law to incorporate specific requirements for the maintenance of housing occupied by students; and,
- (b) That the Building Department and the Transportation, Operations and Environment Division be directed to improve the efficiency of the collection of unpaid parking, property standards, and noise fines; and,
- (c) That the Building Department be authorized and directed to implement a ticket system under the Provincial Offences Act for violation of the Property Standards By-law and the by-law for Maintaining Land in a Clean and Clear Condition; and,
- (d) That the Building Department be directed to implement a policy of a 6 to 12 month delay for final inspection of approved building permits to ascertain use and occupancy; and,
- (e) That City Council submit a letter to the Premier of Ontario requesting increased funding for on campus student housing; and,
- (f) That City Council request that Hamilton Non-Profit Housing investigate providing affordable off campus housing in partnership with private developers, McMaster University and the McMaster Student Union; and,
- (g) That the Building Department and Fire Department be authorized to provide free inspections to owners of student houses to ensure compliance with fire codes and property standards by-law for a trial period of one year; and,
- (h) That City Council request Regional Council to develop a bicycle path corridor in an east/west direction from either side of the University campus; and,
- (i) That the Community Planning and Development Division and the Transportation, Operations and Environment Division, in partnership with the Off Campus Housing Office, McMaster University, develop a brochure for student housing landlords detailing responsibilities, parking requirements and property standards expectations; and,

- (j) That staff from the Community Planning and Development Division be directed to set up a forum with other university cities in early 2000 to discuss current developments and solutions regarding student housing; and,
- (k) That Community Planning and Development Division staff be authorized to meet twice yearly with members of McMaster University's Presidents Advisory Committee on Community Relations to assess current conditions and discuss new developments; and,
- (l) That the Building Department be authorized and directed to initiate pro-active enforcement of Property Standards, Zoning by-laws and other maintenance by-laws in the McMaster University area for the first 3 weeks of September 1999. Total cost not to exceed \$15,000.

15 Barton Village Business Improvement Area – Revised Board of Management (PWT99027)

That the following individual be appointed to the Barton Village B.I.A.'s Board of Management:

James Sackville 594 Barton Street East
(Truscott Brothers Funeral Homes)

16. King Street West Community Improvement Project Area and Community Improvement Plan (PWT99030)

- (a) That the King Street West Community Improvement Project Area be designated as outlined in Appendix 'K'; and,
- (b) That the King Street West Community Improvement Plan attached as Appendix 'B' be adopted in order to implement the City of Hamilton's Commercial Property Improvement Loan Program within the King Street West Community Improvement Project Area; and,
- (c) That Public Works and Traffic Department's staff be authorized to take the steps required to give Public Notice of the Community Improvement Plan and to arrange the Public Meeting to be held with the Planning and Development Committee in accordance with the requirements of the Planning Act for adopting a Community Improvement Plan; and,
- (d) That the Director of Legal Services and Corporate Counsel be directed to prepare a by-law for presentation to City Council to adopt the King Street West Community Improvement Project Area.

17. Part Lot Control Application 99-02, "Tiffany, Phase 3". (PDC99048)

- (a) That approval be given to Part Lot Control Application 99-02, Chedoke Health Corporation, owner, to remove part-lot control for Lots 1 – 12, inclusive and Lots 61 – 71, inclusive, located in "Tiffany, Phase 3", Registered Plan 62M-884, for lands fronting onto Hepburn Crescent, for the purpose of establishing maintenance easements, as shown on the attached map marked as Appendix "L"; and,
- (b) That the appropriate by-law, to remove part lot control from Lots 1 – 12, inclusive and Lots 61 – 71, inclusive, located in "Tiffany, Phase 3", Registered Plan 62M-884, be enacted by Council; and,
- (c) That the exempting by-law be restricted to a 1 year effective time period to expire on September 1, 2000; and,
- (d) That following the enactment of this by-law, the Director, Land Development Department, Community Planning and Development Division (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the by-law and endorse the same on the by-law.

18. Part Lot Control Application 99-08, "Bow Valley Estates" (PDC99049)

- (a) That approval be given to Part Lot Control Application 99-08, Vedemo Construction Ltd., owner, to remove part-lot control for Lots 1 – 5, inclusive, Lots 7 - 10, inclusive, Lots 12 -13, inclusive, Lots 15 - 19, inclusive and Lots 22 – 32, inclusive, located in "Bow Valley Estates", Registered Plan 62M-875, for lands fronting onto Bow Valley Drive, for the purpose of establishing maintenance easements, as shown on the attached map marked as Appendix "M"; and,
- (b) That the appropriate by-law, to remove part lot control from Lots 1 – 5, inclusive, Lots 7 - 10, inclusive, Lots 12 -13, inclusive, Lots 15 - 19, inclusive and Lots 22 – 32, inclusive, located in "Bow Valley Estates", Registered Plan 62M-875, be enacted by Council; and,
- (c) That the exempting by-law be restricted to a 1 year effective time period to expire on September 1, 2000; and,
- (d) That following the enactment of this by-law, the Director, Land Development Department, Community Planning and Development Division (as delegate of the Minister of Municipal Affairs and Housing)

be requested to grant approval to the by-law and endorse the same on the by-law.

19. Site Plan DA-97-11, 15 Wentworth Street North and 488 King William Street – One Year Extension (PDC99050)

That approval be given to the request by 744457 Ontario Inc. (Ron VanKleef), owner, at 15 Wentworth Street North and 488 King William Street, as shown on the attached map marked as Appendix "N", for an extension to the approval of Site Plan Control Application DA-97-11 to September 1, 2000, and that at the end of this period if a Building Permit has not been issued, the proposed development must be subject to a new Site Plan Control Application.

20. Authorization for Staff Attendance at an Ontario Municipal Board Hearing – No. 49 Royal Avenue (PDC99051)

That the appropriate staff (e.g. Law, Land Development Departments) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-99:112, respecting the property located at No. 49 Royal Avenue, as shown on attached map marked as APPENDIX "O".

21. Core Heritage 2000 Program, 44 Hughson Street North and 43-45 King William Street

That a grant, for façade improvements, under the Core Heritage 2000 Program in the amount of \$19,795 to Inmar Co. Ltd., registered owner of 44 Hughson Street North and 43-45 King William Street, be approved.

22. Core Heritage 2000 Program, 37-39 King William Street

That a grant, for façade improvements, under the Core Heritage 2000 Program in the amount of \$12,840 to Jacqueline Bradley, registered owner of 37-39 King William Street, be approved.

23. Core Heritage 2000 Program, 164½ King Street East

That a grant, for façade improvements, under the Core Heritage 2000 Program in the amount of \$12,035 to Paul Roth, registered owner of 164½ King Street East, be approved.

24. Commercial Property Improvement Loan Program, 164½ King Street East

That a Commercial Property Improvement Loan in the amount of nine thousand, nine hundred and twenty dollars (\$9,920) to Paul Roth for improvements to 164½ King Street East be approved subject to the fulfillment of the borrowing requirements of the Commercial Property Improvement Loan Program.

25. Property Exchange- Auchmar (88 Fennell Avenue West) for Albion Mills Draft Plan of Subdivision (Mt. Albion Road and Mudd Street)

- A. (a) That The Corporation of the City of Hamilton enter into an Agreement of Purchase and Sale for a land exchange with A. DeSantis Developments Ltd., and V & R Investments Inc. ("DeSantis") for the purchase by the City of Part of Lot 15, Concession 4, formerly in the Geographic Township of Barton, now in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, as in Instrument No. NS112274, saving and excepting as in Instrument No. HL152296, being the whole of the PIN, known municipally as 88 Fennell Ave., West, Hamilton, ("Auchmar lands") and the sale by the City of the Albion Mills draft plan subdivision located at Mount Albion Road and Mud Street; and,
- (b) That it be understood and agreed that the Agreement of Purchase and Sale contain the following terms and conditions:
- (i) The Agreement of Purchase and Sale is conditional upon the City having an opportunity to review, and be satisfied with, the terms and conditions of the Lease Agreement between DeSantis and The Sisters of Social Services; and,
- (ii) The Agreement of Purchase and Sale is conditional upon the City being satisfied with the terms and conditions of an Agreement of Purchase and Sale between 1333786 Ontario Ltd. (purchaser), and Cervarano Developments Ltd. and V & R Investments Inc. (vendor), for part of 88 Fennell Ave., West, Hamilton, and consisting of approximately 3.55 acres of land, which transaction is scheduled to close June 21, 2000; and,

- (iii) That in the event of assumption of this Agreement by the City (as set out in clause b) ii) above, that 1333786 Ontario Ltd., become a tenant on the property at a rate commencing at \$3,500.00/month and graduating to \$7,500.00/month and upon terms and conditions satisfactory to the Director of Legal Services; and,
 - (iv) The Agreement of Purchase and Sale is conditional upon the City obtaining a Heritage Easement over the subject lands, in order to preserve all heritage value of the property and the buildings; and,
- (c) That the Mayor and Municipal Clerk be authorised and directed to execute the necessary documents in a form satisfactory to the Director of Legal Services; and,
- B.
 - (a) That the Subject Property known as the Albion Mills Draft Plan of Subdivision be declared surplus to the requirements of the City of Hamilton in accordance with the Real Property Sales Procedural By-law No. 95-049; and,
 - (b) That Real Estate, Legal Services Section be authorized and directed to proceed to sell this property in accordance with the Real property Sales Procedural By-law No. 95-049; and,
- C. That upon the acquisition of the Auchmar lands by the City of Hamilton:
 - (a) authority be given to the Mayor apply to the National Historic Sites and Monuments Board of Canada, on behalf of the City, to have the Auchmar lands designated as a National Historic Site; and,
 - (b) authority be given to the Mayor to request the Province of Ontario through the Ontario Heritage Foundation, on behalf of the City, to enter into a Heritage Conservation Easement agreement with the City for the Auchmar lands; and,
 - (c) the General Manager, Community Planning and Development Division, be authorized and directed to prepare a "Reasons for Designation" report for the six acres of landscaped grounds, for the purposes of completing the designation of the entire property under the Ontario Heritage Act, which designation will heritage features such as the

dovecote, the walled garden and the orchard stone wall; and,

- (d) the General Manager, Community Planning and Development Division, be authorized and directed to apply to the Architectural Conservancy of Ontario Advisory Board for a preliminary Condition Assessment Report on the buildings and structures found on the Auchmar lands; and,
- (e) the Director of Legal Services be authorized and directed to take all necessary steps to obtain a Heritage Conservation Easement on the Auchmar lands pursuant to the Ontario Heritage Act; and,
- (f) the General Manager, Community Planning and Development Division, be authorized and directed to work with interested public and private groups, including the tenant of the main house, for the purpose of pursuing grant programs to fund a long-term strategic plan, an in-depth condition assessment and the implementation of restoration projects, where required; and,
- (g) the Municipal Clerk be authorized and directed to add the Auchmar lands to the list of Hamilton's Millennium Projects.

26. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-42 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located West of Upper Sherman Avenue and South of Dulgaren Street at the Rear of 102 Eleanor Avenue.
- (b) C-43 A By-law to Remove Land within the "Tiffany, Phase 3" Subdivision, Plan 62M-884 from Part Lot Control.
- (c) C-44 A By-law to Remove Land within the "Bow Valley Estates, Phase 1" Subdivision, Plan 62M-875 from Part Lot Control.
- (d) C-45 A By-law to Amend Zoning By-law No. 6593 Respecting Land located at Municipal No. 1221 Limeridge Road East

August 11, 1999

- (e) C-46 A By-law to Adopt Official Plan Amendment No. 163 Respecting Lands Located at 39-41 Devonport Street in the Strathcona Neighbourhood
- (f) C-47 A By-law to Amend Zoning By-law No. 6593 Respecting Land located at Municipal No. 39-41 Devonport Street and formerly known as 573 York Boulevard and 45 and 47 Devonport Street
- (g) C-48 A By-law to Amend Zoning By-law 97-015 Respecting Text Amendment to Temporarily Eliminate Parking and Loading Requirements for Residential Development in the Downtown

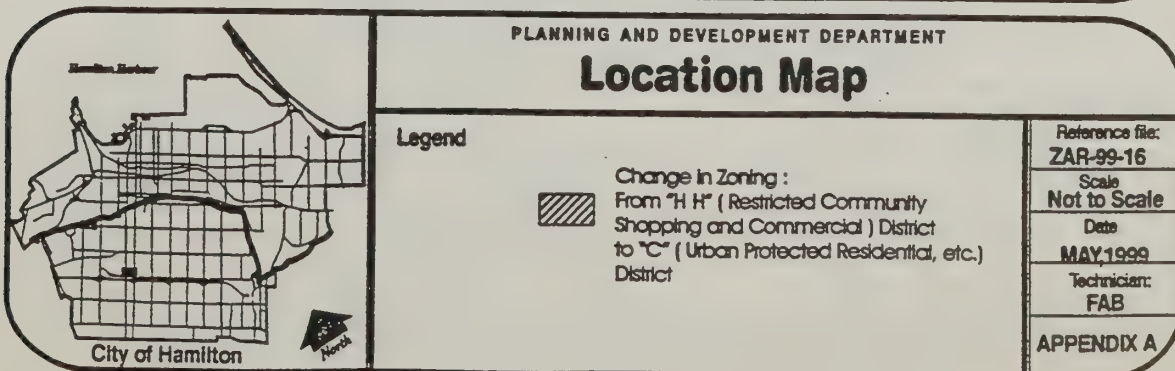
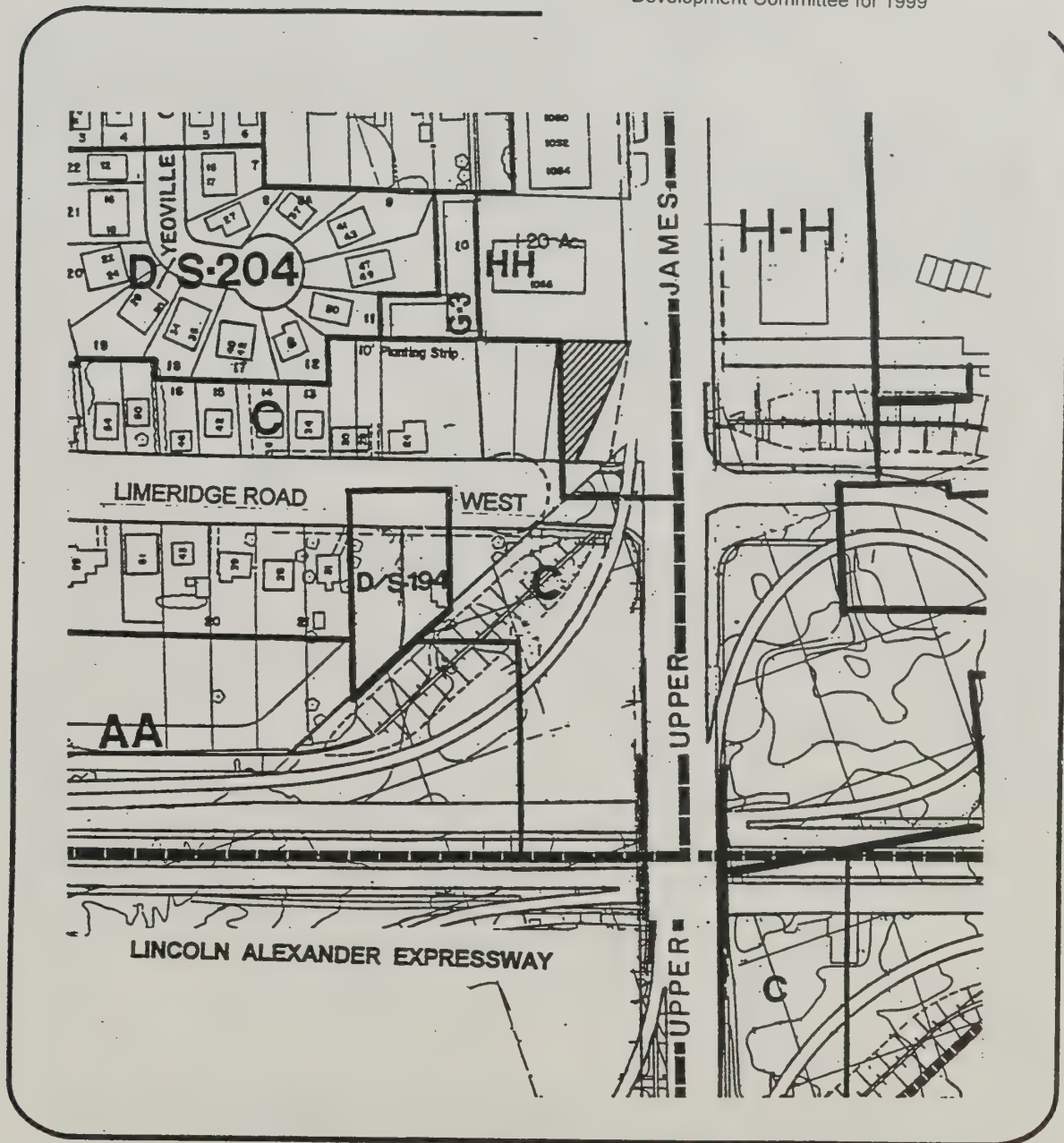
Respectfully submitted,

**ALDERMAN G. COPPS,
ACTING CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

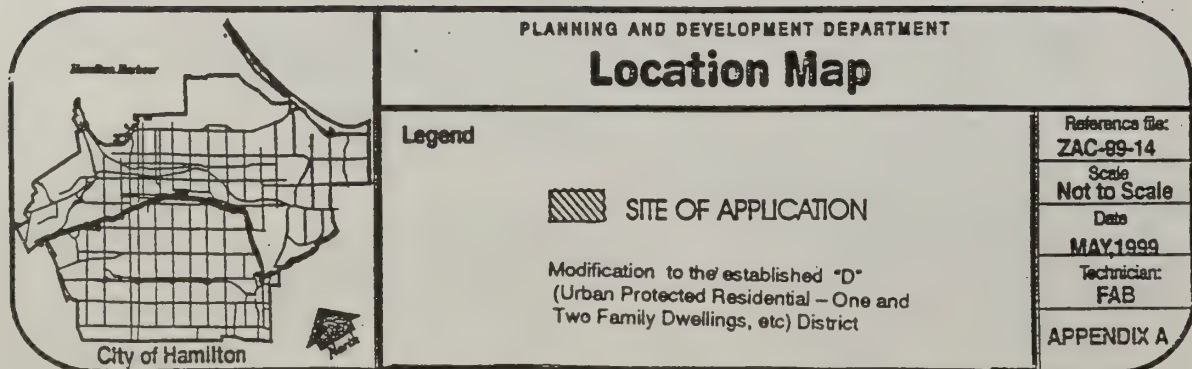
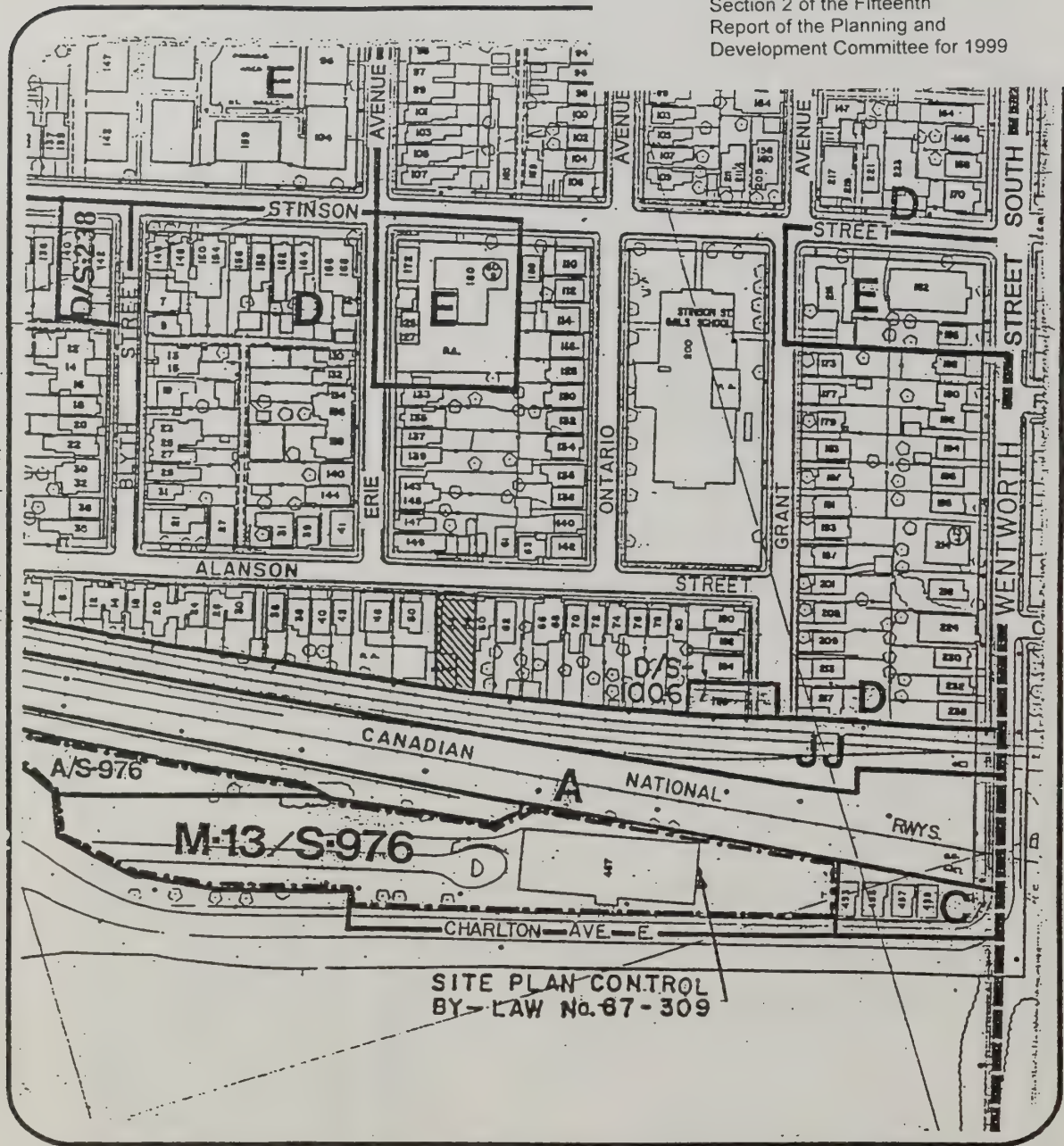
**Tina Agnello, Secretary
August 11, 1999**

August 11, 1999

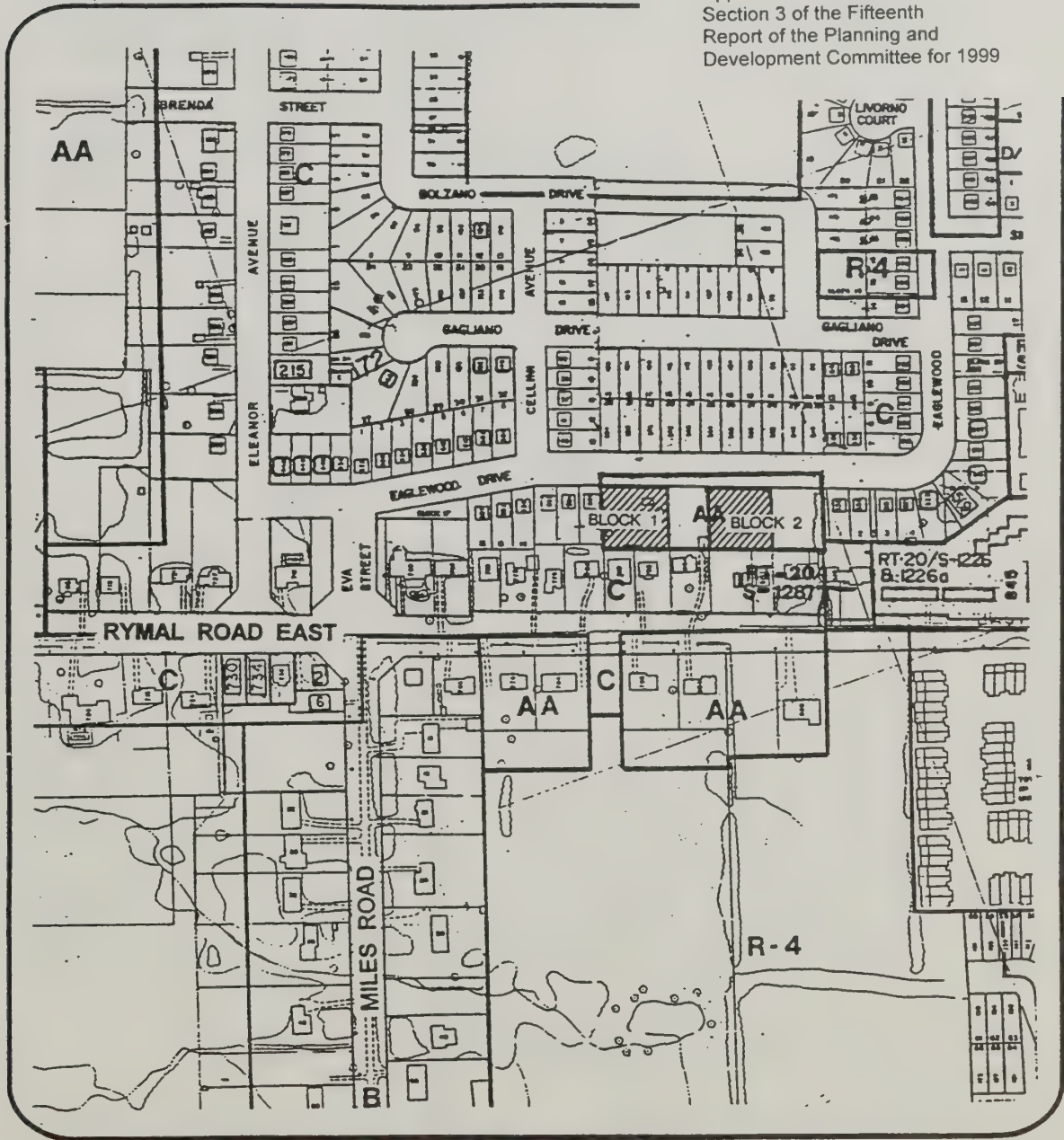
Appendix "A" referred to
In Section 1 of the Fifteenth
Report of the Planning and
Development Committee for 1999



Appendix "B" referred to in
Section 2 of the Fifteenth
Report of the Planning and
Development Committee for 1999

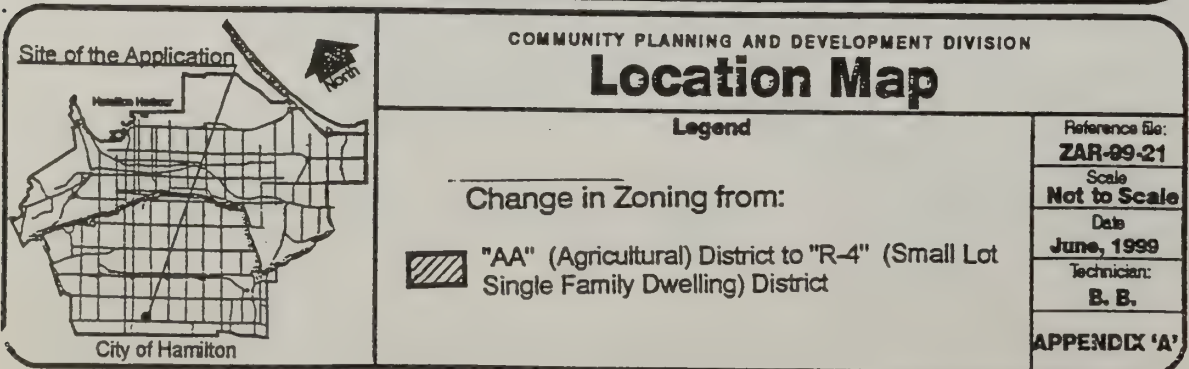
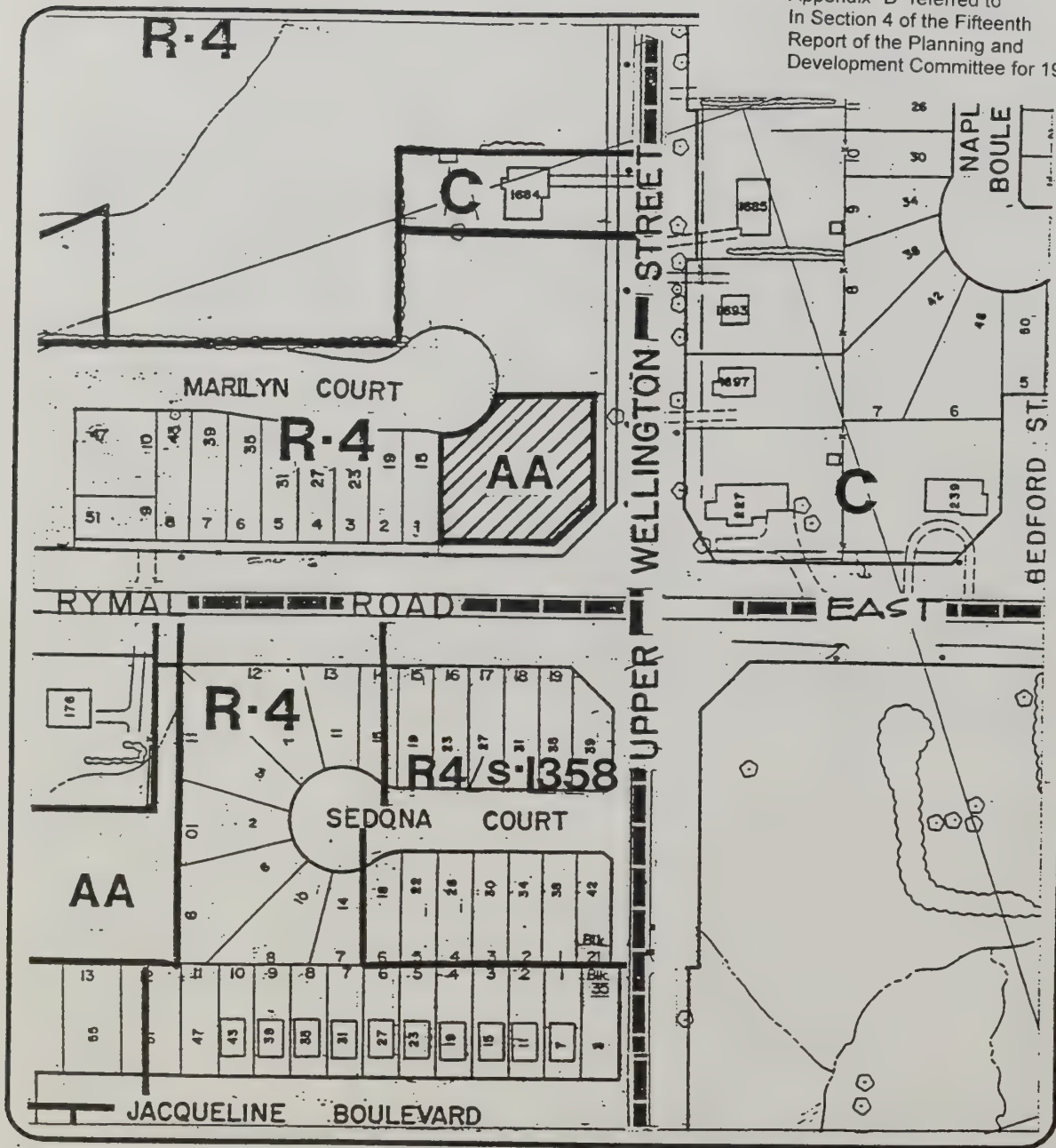


Appendix "C" referred to in
Section 3 of the Fifteenth
Report of the Planning and
Development Committee for 1999

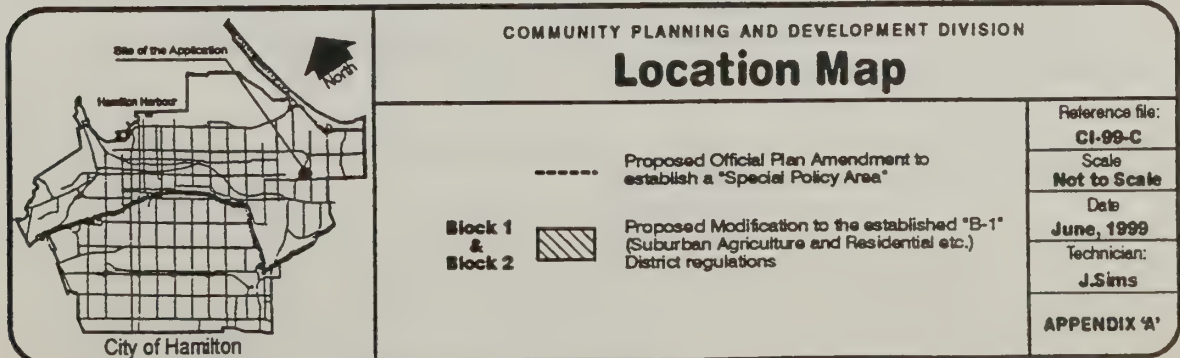
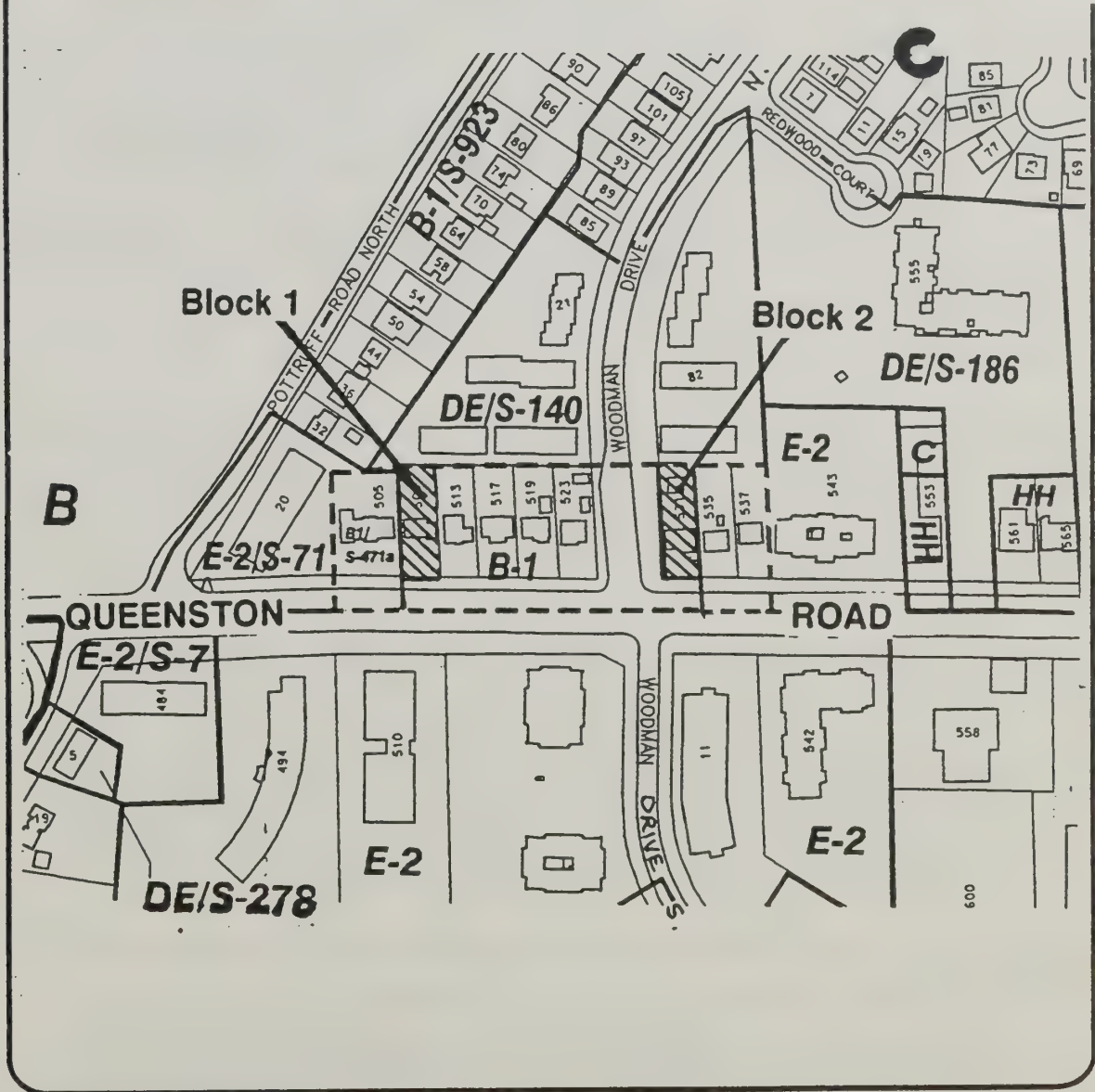


PLANNING AND DEVELOPMENT DEPARTMENT Location Map		
City of Hamilton	Legend Blks. 1 & 2	Reference file: ZAC-99-17 Scale: Not to Scale Date: May 1999 Technician: FAB
	Change in Zoning: From "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District	
	APPENDIX A	

Appendix "D" referred to
In Section 4 of the Fifteenth
Report of the Planning and
Development Committee for 1999



Appendix "E" referred to in
Section 5. of the Fifteenth
Report of the Planning and
Development Committee for 1999



Design Guidelines for 505 to 537 Queenston Road Within the Kentley Neighbourhood

Design Principles

The subject lands are designated by the Official Plan and Approved Kentley Neighbourhood Plan to allow residential uses, as well as, commercial conversions of existing buildings. The following design concepts should be incorporated into plans for commercial conversion within the area designated "Single and Double Residential and Commercial Conversions" located at 505 to 537 Queenston Road. The intent of these guidelines is to maintain the low profile character of the area and mitigate impacts of commercial conversions on adjacent residential uses.

1. Buffering

Buffering is an essential element in mixed-use areas, or when residential land uses are located in close proximity to more intense land uses such as commercial uses. The intent of buffering is to mitigate any negative impacts created by the commercial uses on the residential uses. Examples of potential negative impacts to be mitigated are visual impacts resulting from the commercial use, reduced privacy, increased noise, and increased light from parking areas.

Visual Barriers should be provided between commercial uses and residential uses:

- 1.2 m to 2.0 m high visual barrier along rear lot lines.
- 1.2 to 2.0 m high visual barrier along any side lot line which abuts a residential district or use. In some cases, due to the location of existing features, such as access driveways and vegetation, it may not be feasible to provide a visual barrier along the entire side lot line. In these cases, the visual barrier should be provided up to the front wall of the dwelling being converted for commercial use.

Landscape strips should be provided wherever possible between commercial uses and residential uses:

- If parking is provided in rear yards, the entire rear yard should not be paved. A minimum 3.0 m landscape strip should be required along rear lot lines, to include vegetation suitable for buffering purposes.
- A minimum 1.5 m wide landscape strip along any side lot line, which abuts a residential use or district.

Separation Distances of parking areas, driveway accesses and buildings should be adequate to buffer adjacent residential uses.

- A minimum 3.0 m landscaped strip should be provided between any parking area in a rear yard and the adjacent residential uses to the north. As stated above, this should also be landscaped.
- Parking areas and access driveways should be setback a minimum of 1.5 m from side lot lines of abutting residential uses, wherever possible.
- All buildings should meet required minimum setbacks.

Lighting may be necessary for safety, but should be sensitive to adjacent residential uses.

- Any lighting in rear or front yard parking areas should be appropriately located and designed to direct light away from adjacent residential uses.

2. Streetscape

Since mixed uses will be permitted the intent is to maintain and enhance the low profile character of the area and preserve features of the residential streetscape.

Existing Buildings

- Commercial uses should be restricted to existing buildings.
- Changes to existing building facades should be limited and consistent with established residential development. For example, large display windows and wall signs should not be permitted.
- Enlargements or additions to the existing buildings may be permitted only if they are in keeping with the established built form and residential character of the area. The height, bulk and size of buildings, including a proposed addition, should be consistent with the established development.

Signage

- Business signs should be limited to low ground oriented signs, similar to those for existing commercial uses, or a name plate type sign.
- Ground signs should generally not exceed a maximum area of 0.6 m² and vertical dimension of 0.9 m.
- Name plate style signs should not exceed an area of 0.2 m²
- Pylon ground signs should not be permitted and wall signs should be discouraged.

Landscaping

- Existing vegetation should be maintained wherever possible.
- Street trees along Queenston Road should be preserved.
- Entire front or rear yards should not be paved to provide for parking.
- Landscape treatment should be provided along Queenston Rd., whether parking is located in the front yard or not.

- If parking areas are provided in the rear yards for the corner lots, landscape treatment should also be provided along Woodman Drive.
- Landscape strips along streetlines should be consistent with the minimum requirements for commercial zones: a landscape planting strip along the entire streetline with a minimum average width of 2.0 m, but not less than 1.0 m (excepting access driveways).

3. Parking and Access

- Depending upon site characteristics, parking areas may be located in the front or rear yards, subject to the buffering and landscape principles above.
- No new accesses are to be created. The sharing and co-ordination of accesses between abutting properties will be encouraged.
- Access driveways for commercial conversions should be wide enough to accommodate two-way traffic (e.g. minimum of 5.5 m).
- Required parking and maneuvering must be provided on-site. Vehicles must be able to maneuver on-site. Situations, which require vehicles to back out onto Queenston Road, will not be permitted.
- Parking areas should not encroach into the road allowances.

4. Pedestrian Access and Walkways

- Consideration should be given to the provision of defined pedestrian walkways (e.g. separate from parking areas and access driveways) wherever feasible.
- Sufficient separation should be provided between the parking areas and pedestrian sidewalks on municipal streets.

Development Concepts

Three potential development concepts are attached which may be used as guidelines for commercial conversions:

- Development Concept A - Front Yard Parking
- Development Concept B - Rear Yard Parking
- Development Concept C – Rear Yard Parking with Mutual Drive

Implementation

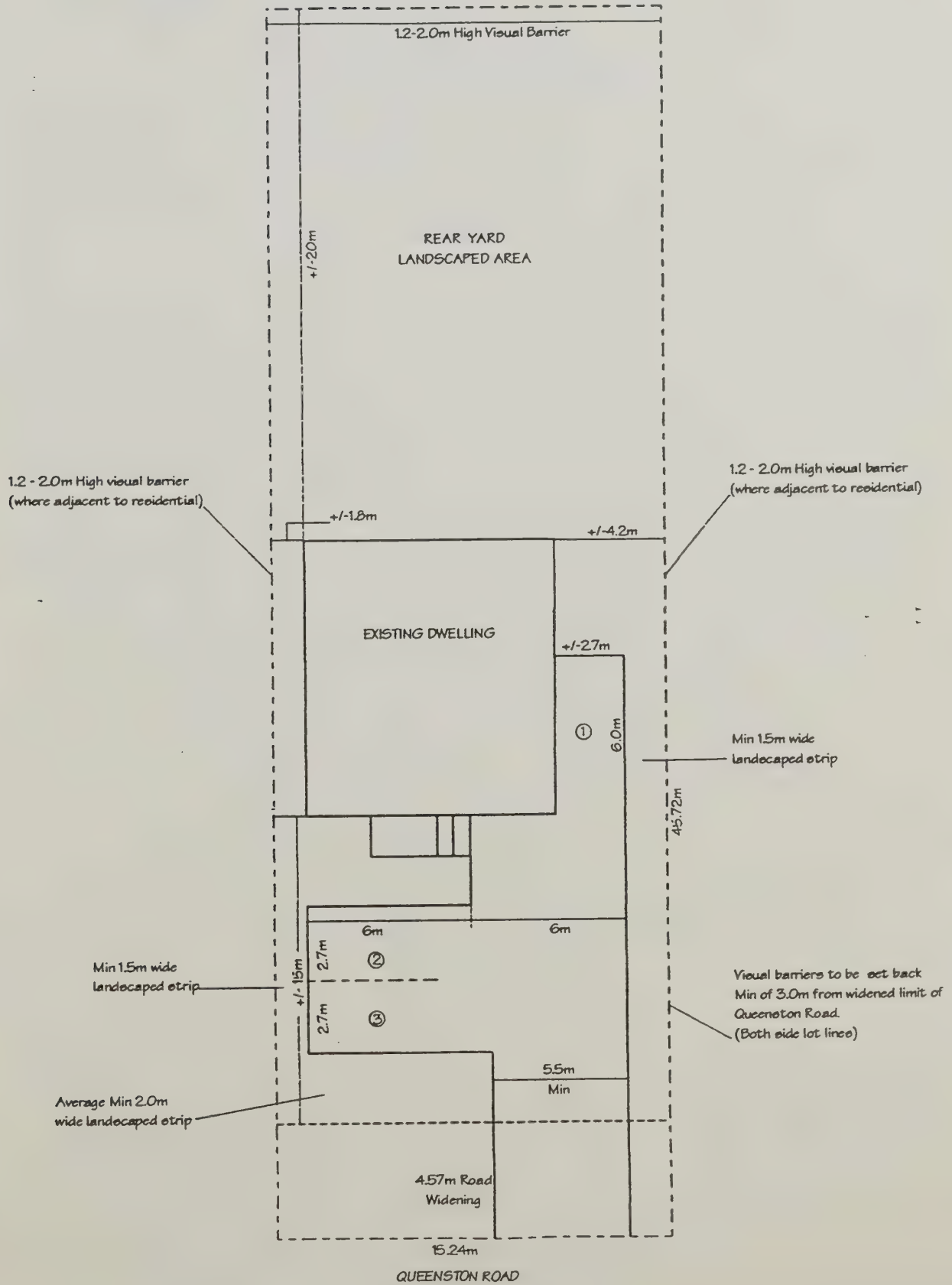
These Design Guidelines will be implemented through site specific zoning by-law amendments and through Site Plan Control.

It should be noted that these concepts and guidelines are intended to illustrate how the design principles may be implemented. It is not expected that every commercial conversion will follow these alternatives exactly. The principles set out in these guidelines should be adhered to wherever possible.

August 11, 1999

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DEVELOPMENT CONCEPT A FRONT YARD PARKING



August 11, 1999

22

DEVELOPMENT CONCEPT B-REAR YARD PARKING

1.2 - 2.0m High Visual Barrier
(Along rear lot line and side lot lines
where abutting residential)

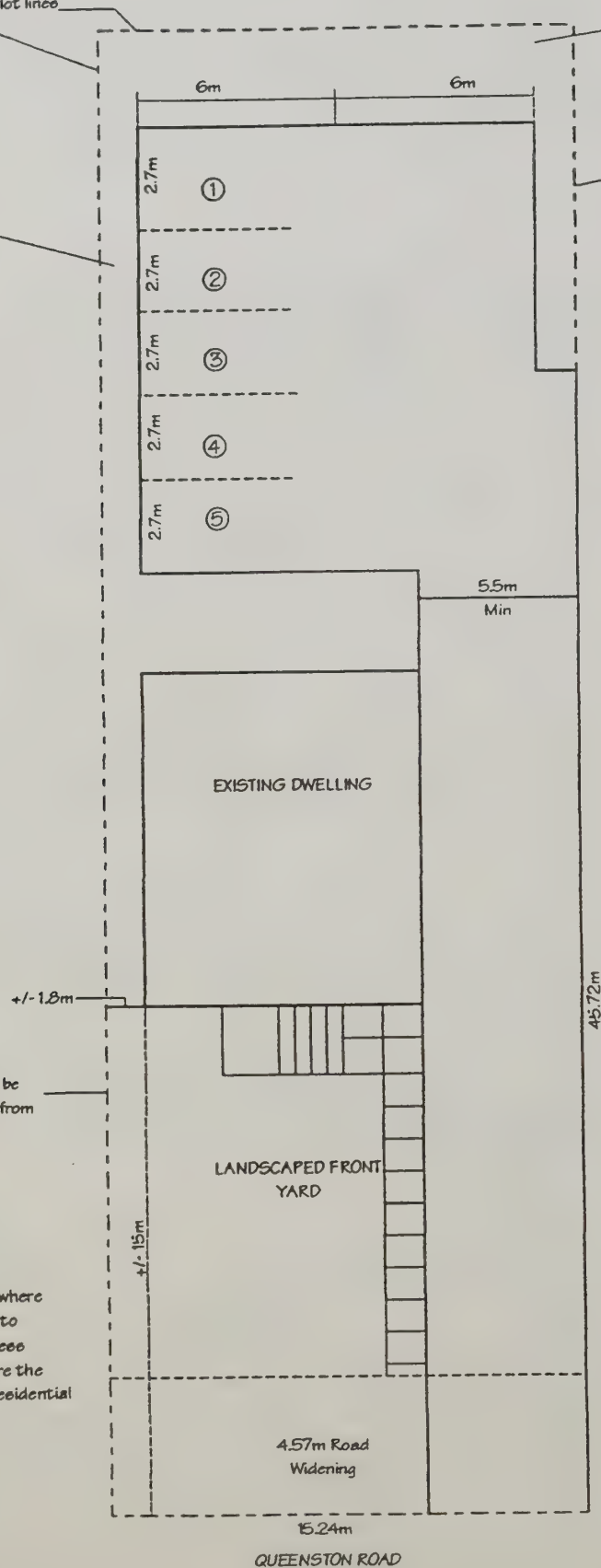
Min 30m Landscape Strip

Min 1.5m wide
Landscaped Strip

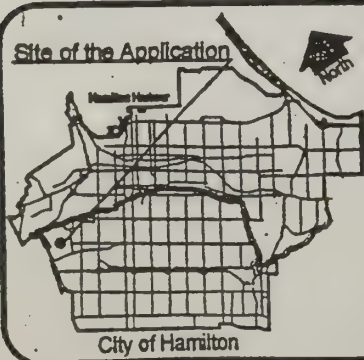
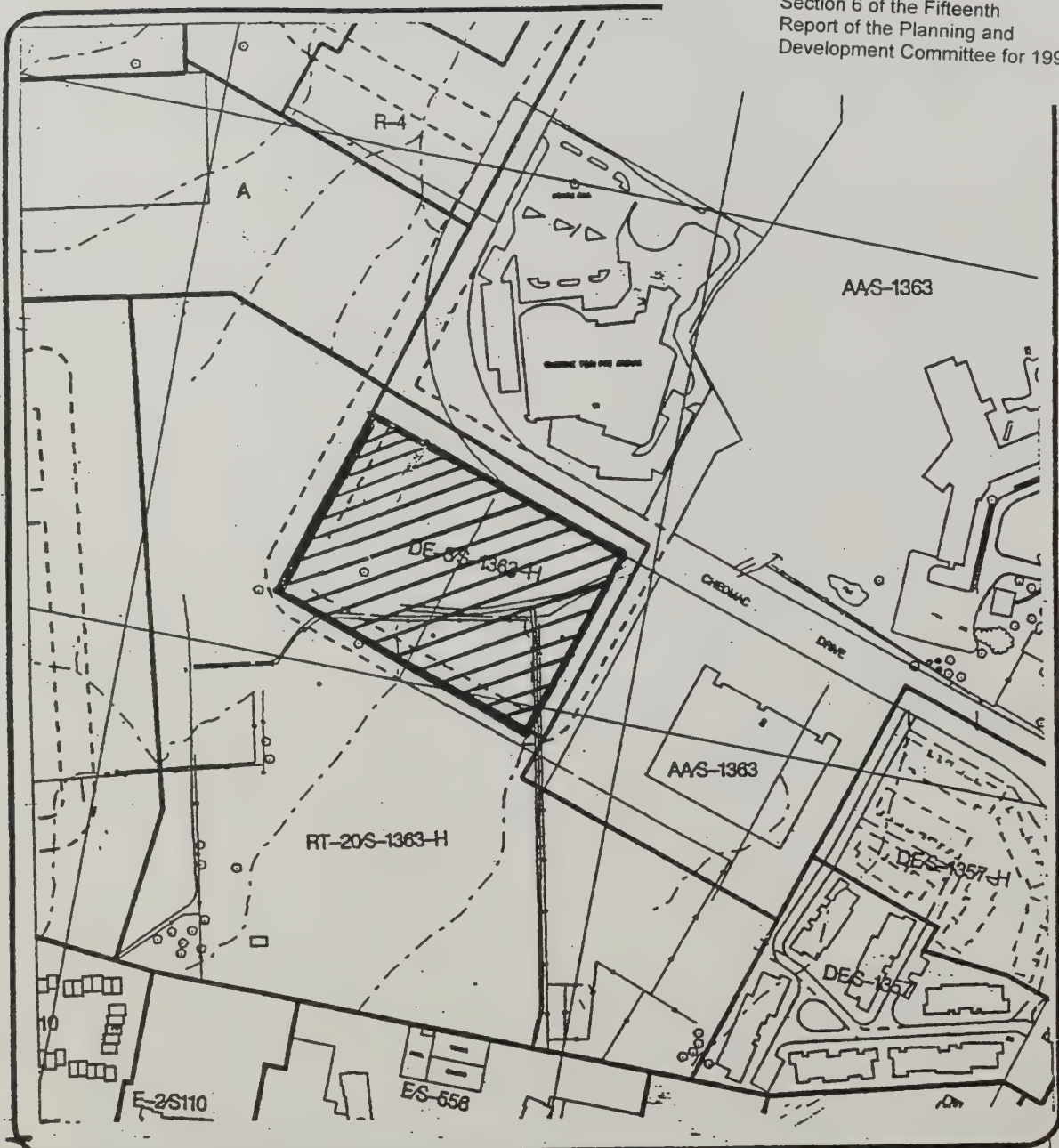
Landscape Strip where feasible

Visual Barriers to be
set back min. 3m from
widened limits of
Queenston Road.
(Both Sides)

Note:
This alternative is only feasible where
a large enough side yard exists to
provide a two way vehicular access
and shall not be permitted where the
access driveway would abut a residential
use.



Appendix "G" referred to in
Section 6 of the Fifteenth
Report of the Planning and
Development Committee for 1999



COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend

Subject Lands

Application for an Official Plan Amendment
to redesignate the subject lands from
"Residential" to "Institutional" and for a
further modification to the established "DE-3"
- 'H' (Multiple Dwellings- Holding) District.

Reference file:
ZAC-99-19

Scale
Not to Scale

Date
June, 1999

Technician:
B. B.

APPENDIX 'A'



Location Map

Change in Zoning from:

"L-mr-2" (Planned Development - Multiple Residential) District Modified to "G-3" (Public Parking Lots) District

"L-mr-2" (Planned Development - Multiple Residential) District to "G-3" (Public Parking Lots) District

Scale
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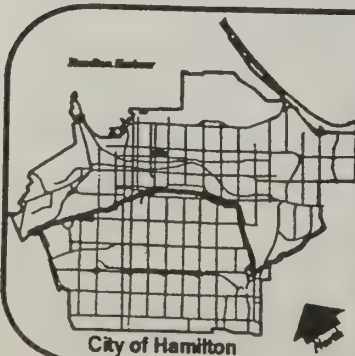
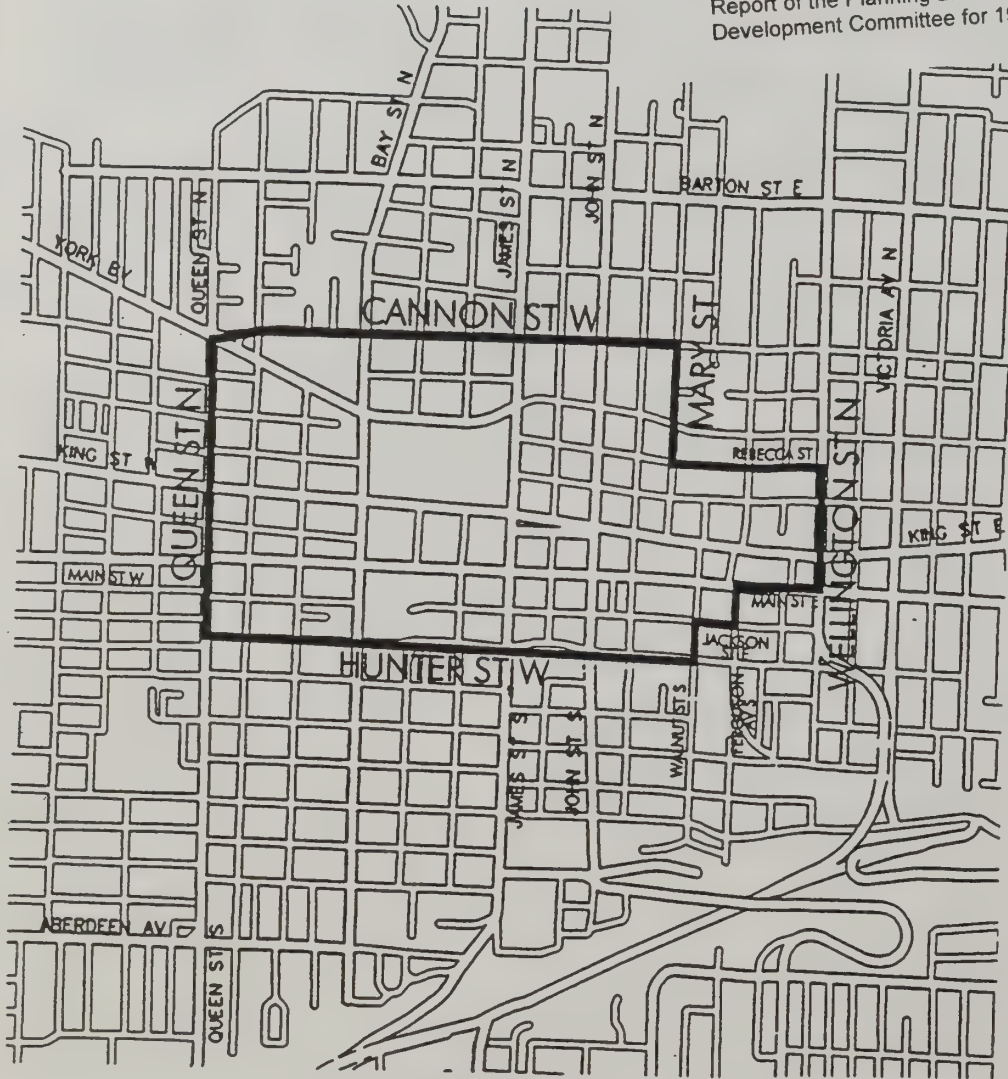
Date
June, 1969

Technician:

B. B.

APPENDIX 'A'

Appendix "I" referred to
In Section 8 of the Fifteenth
Report of the Planning and
Development Committee for 1999



PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend



NO PARKING AND LOADING SPACES REQUIRED
FOR RESIDENTIAL DEVELOPMENT

Reference file:

CI-96-1

Scale

Not to Scale

Date

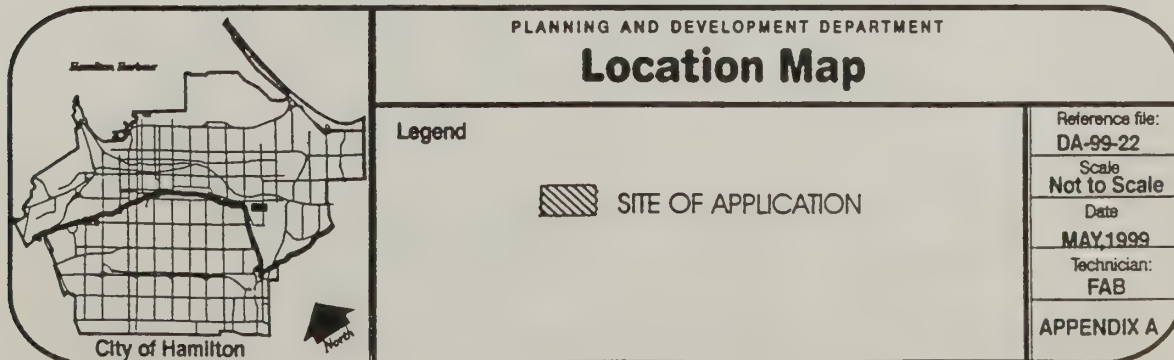
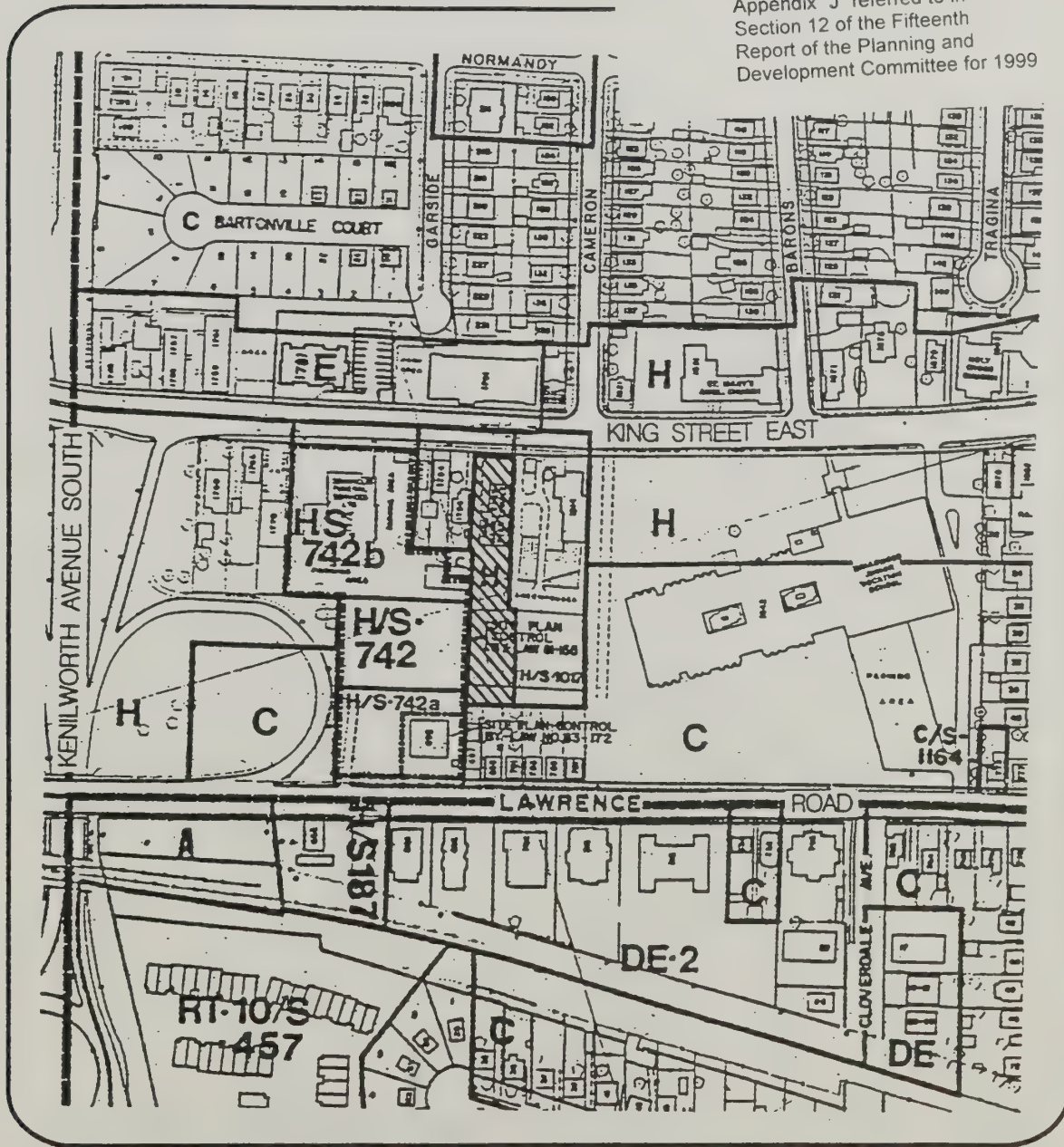
July, 1999

Technician:

FAB

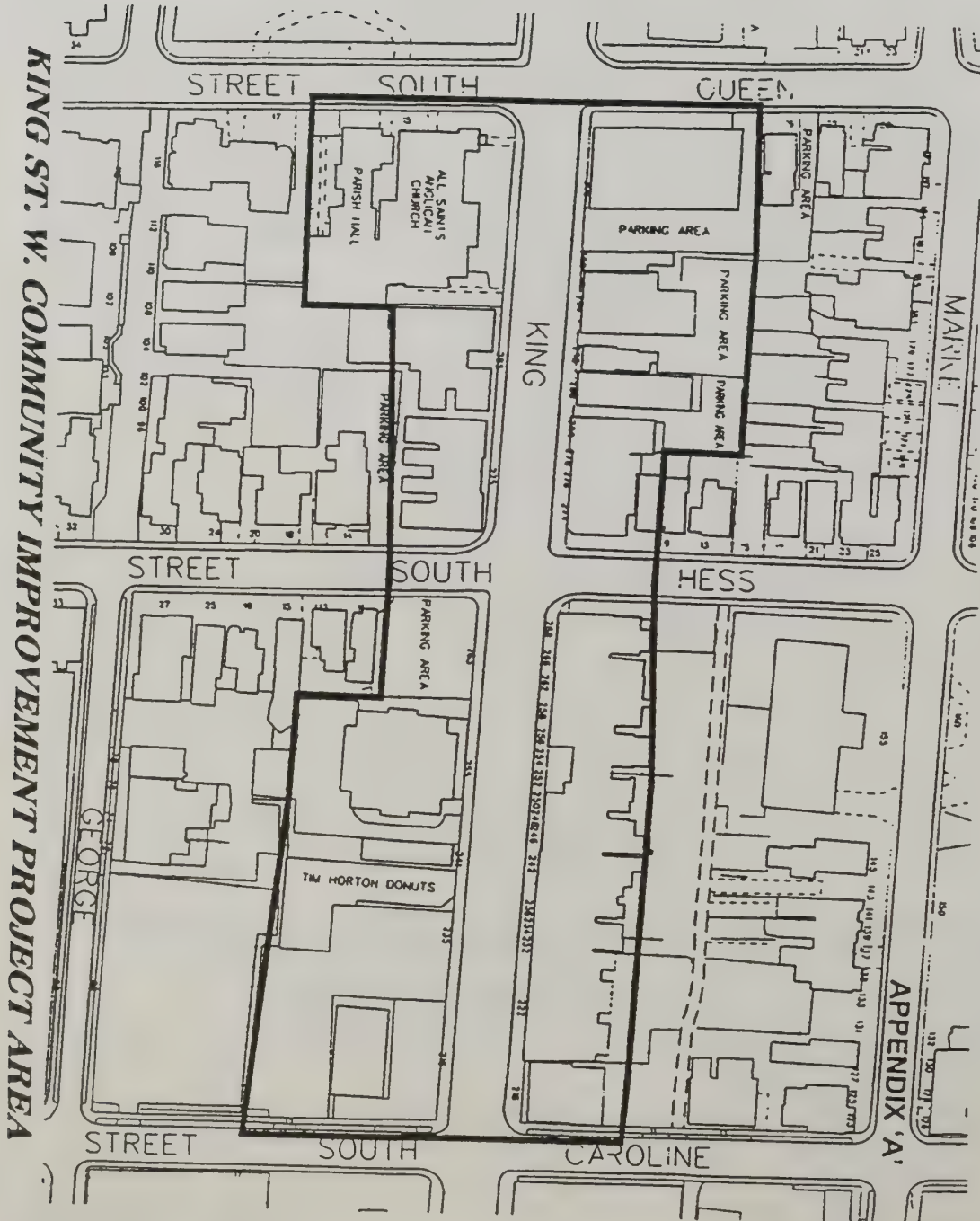
APPENDIX A

Appendix "J" referred to in
Section 12 of the Fifteenth
Report of the Planning and
Development Committee for 1999

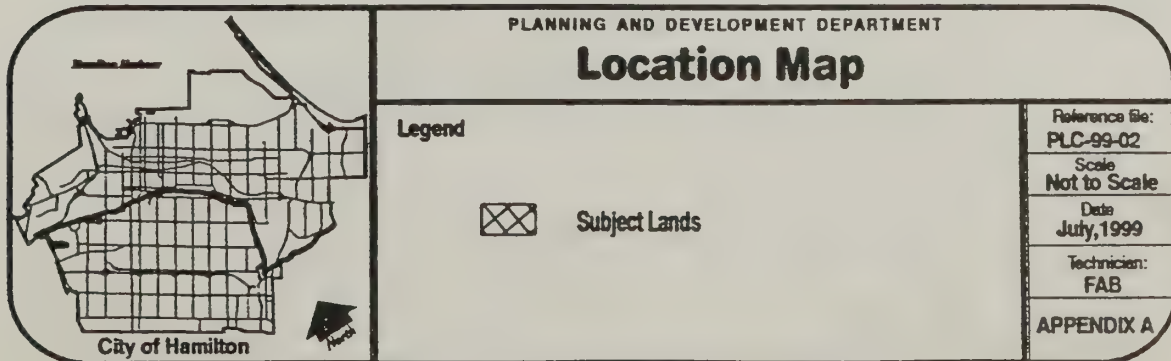
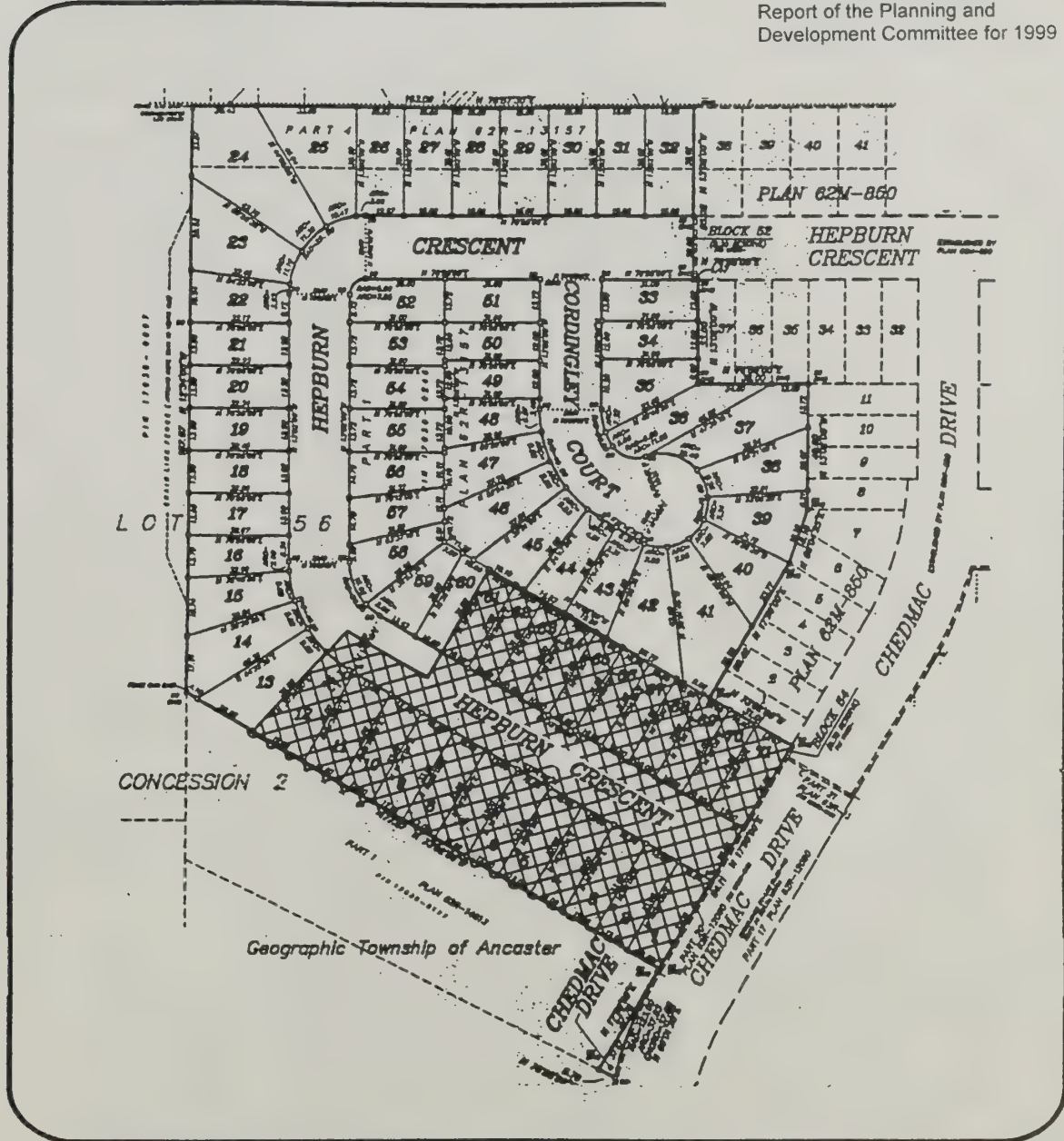


August 11, 1999

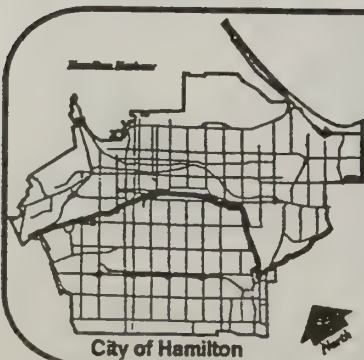
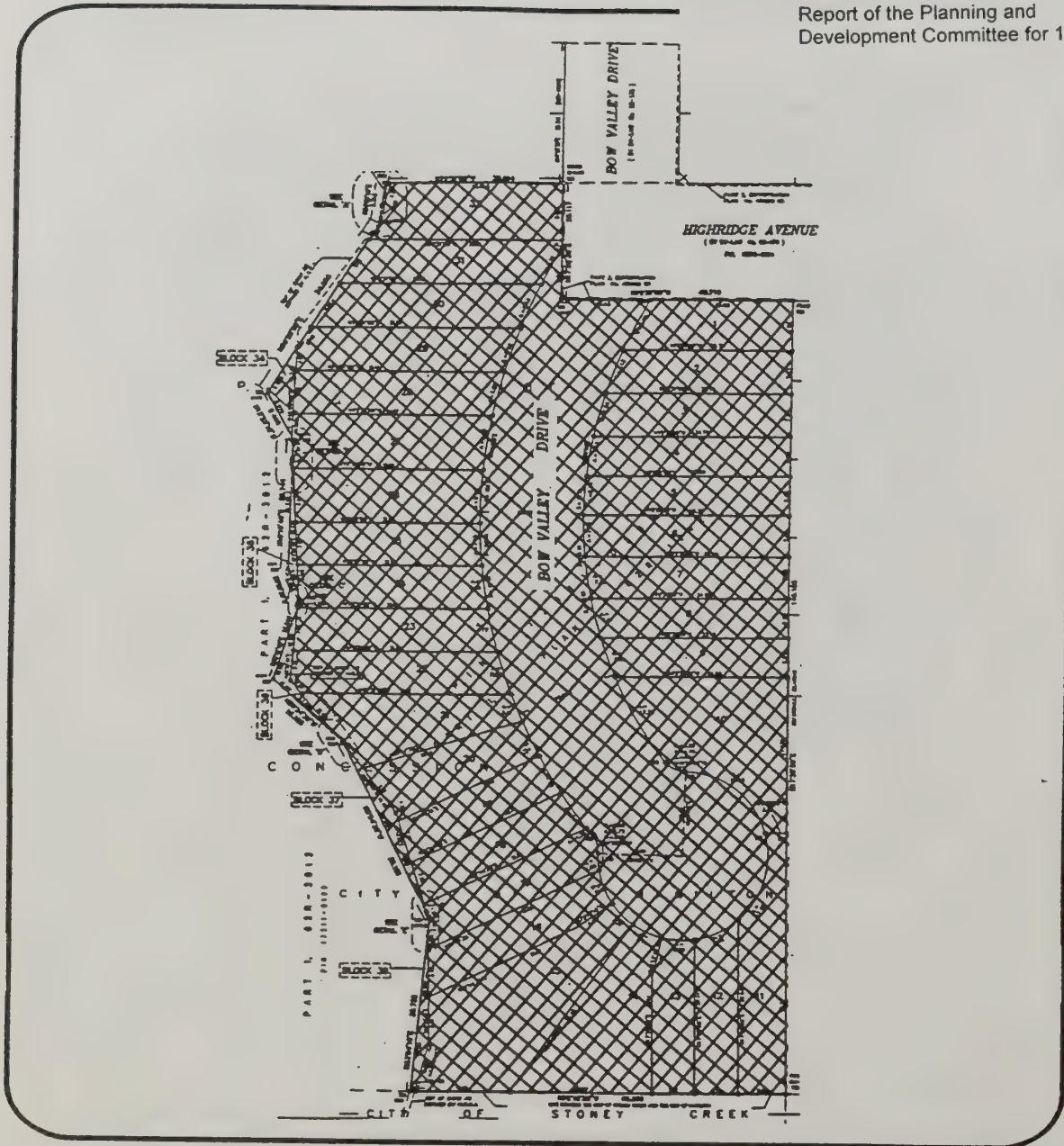
Appendix "K" referred to in
Section 16 of the Fifteenth
Report of the Planning and
Development Committee for 1999



Appendix "L" referred to
In Section 17 of the Fifteenth
Report of the Planning and
Development Committee for 1999



Appendix "M" referred to in
Section 18 of the Fifteenth
Report of the Planning and
Development Committee for 1999



PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend



Subject Lands

Reference file:

PLC-99-08

Scale

Not to Scale

Date

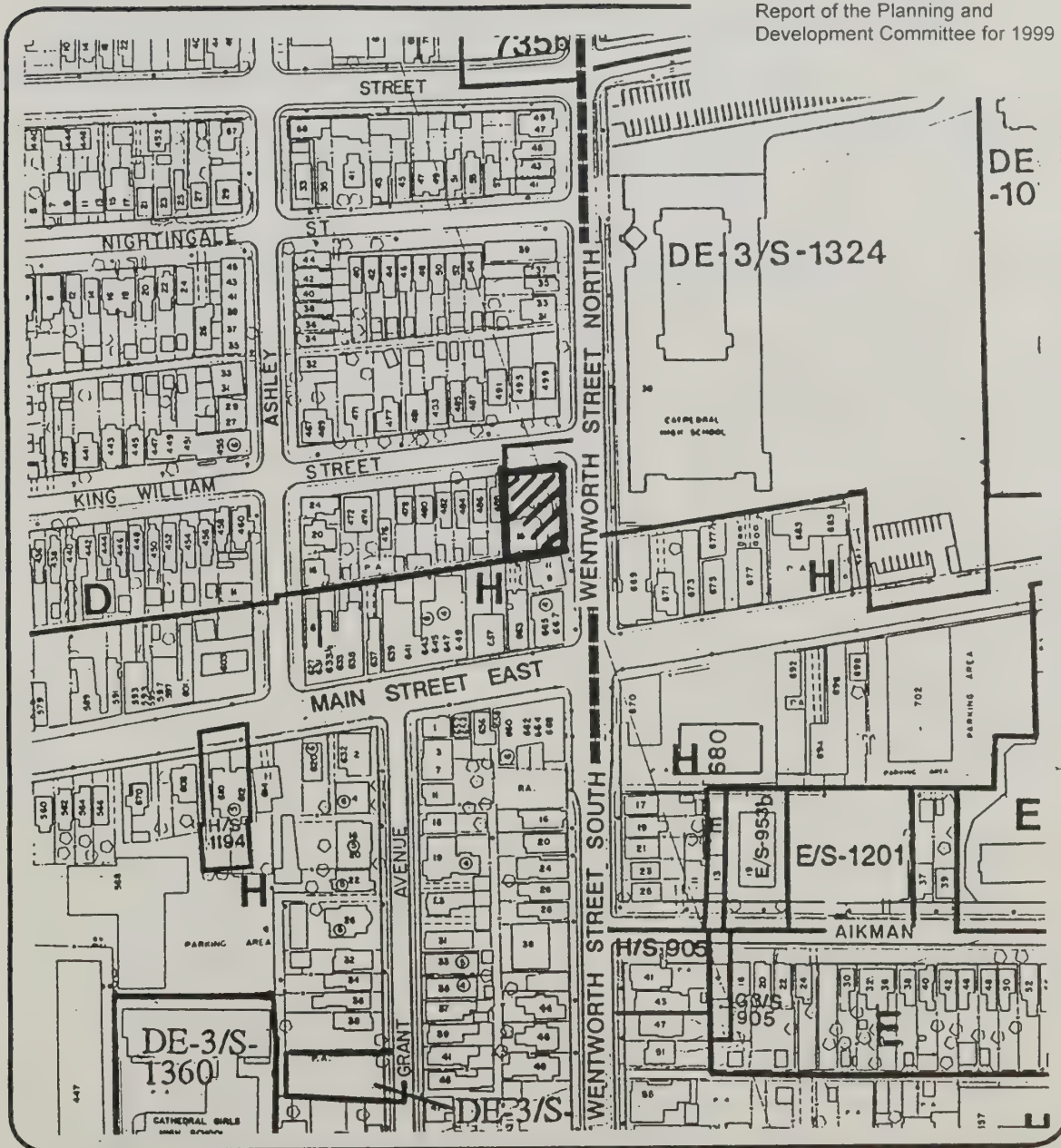
July, 1999

Technician:

FAB

APPENDIX A

Appendix "N" referred to in
Section 19 of the Fifteenth
Report of the Planning and
Development Committee for 1999



Site of the Application



City of Hamilton

COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend



Site of the Application

Reference file:

DA-87-11

Scale

Not to Scale

Date

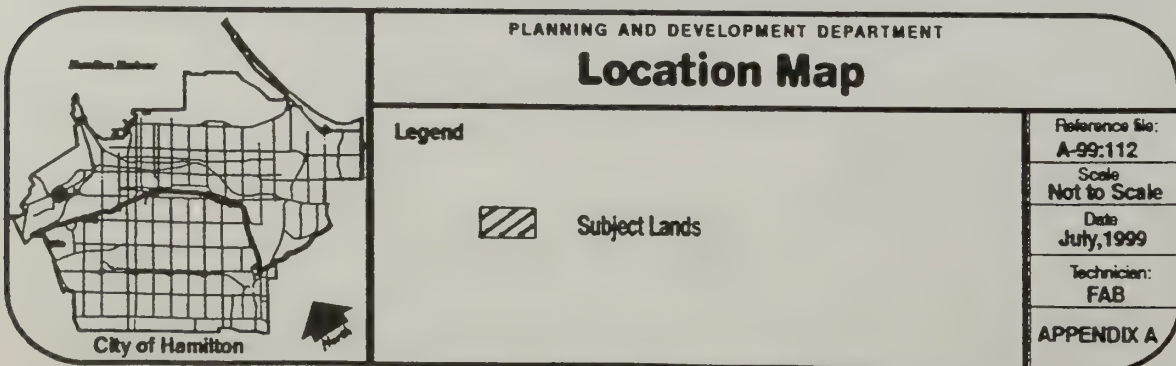
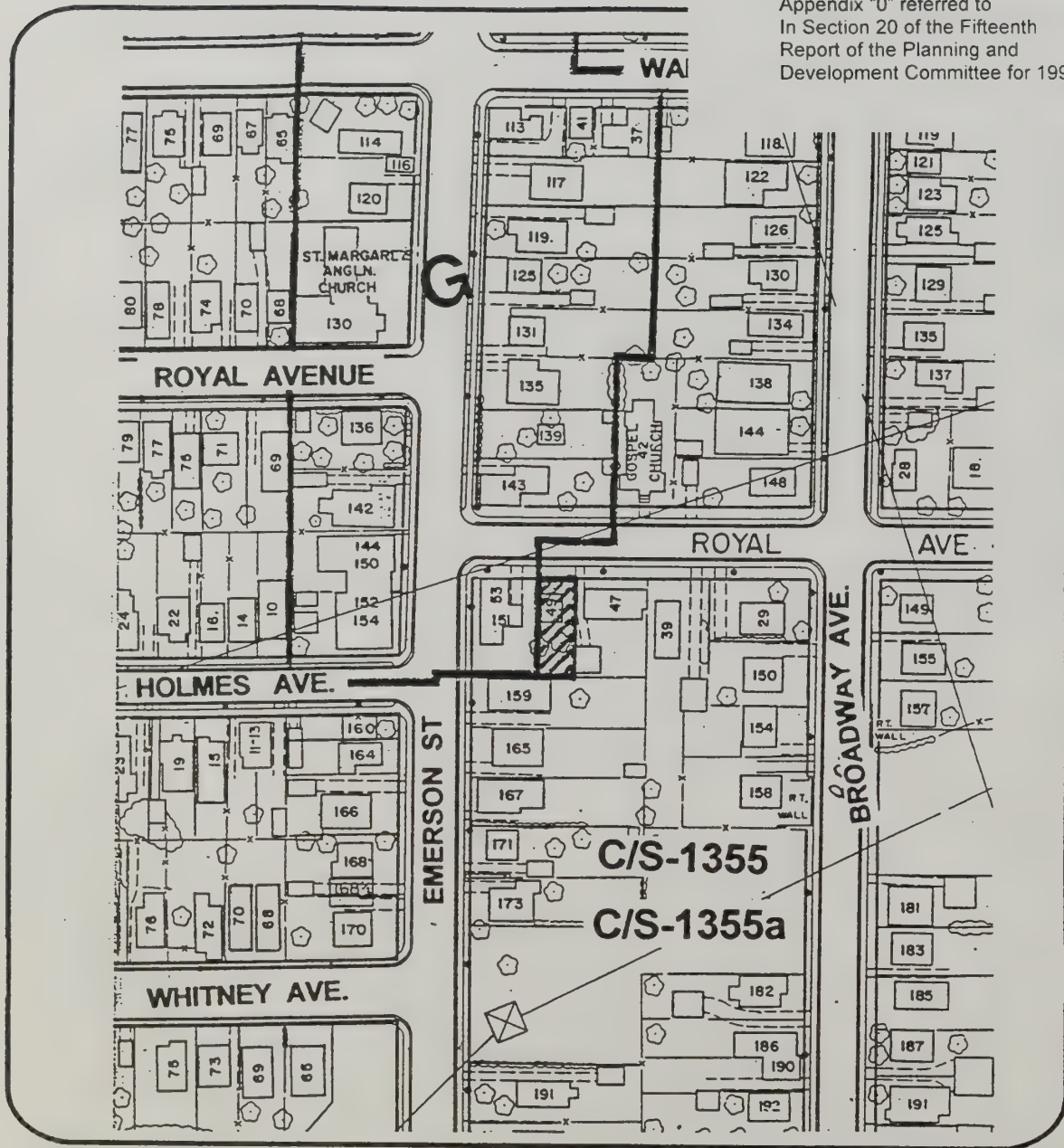
July, 1999

Technician:

D.L.

Appendix "A"

Appendix "O" referred to
In Section 20 of the Fifteenth
Report of the Planning and
Development Committee for 1999



REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **THIRTEENTH** Report for 1999 and respectfully recommends:

1. City of Hamilton Development Charges By-law and Policies (FIN99052)

- (a) That Development Charges be imposed to recover the growth-related capital costs of new development and redevelopment in the City of Hamilton; and,
- (b) That the City of Hamilton impose an area specific development charge for the development of lands to the south of Mohawk Road as well as in the neighbourhoods of Mountview, Greenford, and Gershome in addition to the uniform development charge calculated for the City for the following services:
 - (i) Roads (stub streets, midblock collectors, extra depth asphalt, streetlighting, and services adjacent to city lands)
 - (ii) Growth Management Studies
- (c) That industrial development be exempt from Development Charges; and,
- (d) That a development charge exemption be provided for the downtown core, being the area bounded by Queen Street, Cannon Street, Hunter Street and Victoria Avenue; and,
- (e) That a redevelopment credit for development charges be limited to buildings demolished since 1990; and,
- (f) That a conversion credit be provided for residential to non-residential and for non-residential to residential conversions; and,
- (g) That parking structures and garages be exempt from the definition of non-residential gross floor area; and,

- (h) That places of worship, exempt from taxation, as defined in the Assessment Act, be exempt from the payment of development charges; and,
- (i) That no development charge exemption be provided for non-profit development; and,
- (j) That the 10% capital cost reduction be provided only for those services mandated in the Development Charges Act, 1997; and,
- (k) That development charges be assessed on lands zoned "agricultural", only for that portion of the development that is commercial, or institutional; and,
- (l) That development charges for mobile homes be assessed the apartment rate; and,
- (m) That a development charges credit be provided for prior lot levy payments, to be applied against future development charges payable on the same lands; and,
- (n) That the development charge payment agreement policies for the City of Hamilton be amended to reflect those of the Regional Municipality of Hamilton-Wentworth; and,
- (o) That regarding applications for building permits submitted prior to August 11, 1999 and not issued by August 12, 1999 (the date that the City's 1999 Development Charge By-law comes into force), staff are authorized and directed to collect upon issuance of such permits, the Development Charge rate under the 1995 Development Charge By-law 95-176 or the rate under the said 1999 Development Charge By-law, whichever is lower.
- (p) That the Development Charges By-law be passed and enacted by City Council.

2. Copps Coliseum/Hamilton Bulldogs – Consumption of Alcohol in Sections 120 and 124

That City Council approve an application to the Alcohol and Gaming Commission of Ontario for a liquor licence for stadium facilities so as to allow the consumption of alcoholic beverages in Sections 120 and 124 of the seating area at Copps Coliseum for Hamilton Bulldogs' Hockey Games.

Recorded vote.

YEAS: Acting Mayor Morelli, Aldermen Kiss, Caplan, Horwath, Wilson, Eisenberger, Collins, Charters, Kelly, O'Sullivan. -10.

NAYS: Alderman Copps. -1.

CARRIED.

3. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-27 A By-law respecting development charges on lands within the City of Hamilton
- (b) D-26 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton

Respectfully submitted,

**ALDERMAN D. WILSON
CHAIRMAN
FINANCE AND ADMINISTRATION
COMMITTEE**

**Susan K. Reeder
Secretary
August 11, 1999**

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

The Nominating Committee presents its **FOURTH** Report for 1999 and respectfully recommends:

1. **Appointment of the Chairman of the Committee of the Whole**

That Alderman Kelly be appointed Chairman of the Committee of the Whole for the months of September, October and November, 1999.

Respectfully Submitted,

**ACTING MAYOR B. MORELLI
CHAIRMAN
NOMINATING COMMITTEE**

J. J. Schatz,
Secretary
August 11, 1999

CAY ON HBL AOS
M21
1999

September 7, 1999

**URBAN
MUNICIPAL**

Minutes of Hamilton City Council
Tuesday, September 7, 1999
1:05 o'clock p.m.
Council Chamber, City Hall

The Council met:

There were present: Mayor R. Morrow, Chairman
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini,
B. Morelli, D. Haining, D. Wilson, C. Collins,
T. Jackson, B. Charters, T. Anderson, B. Kelly,
F. D'Amico, D. O'Sullivan.

Absent: Alderman G. Copps – Illness
Alderman F. Eisenberger - Vacation

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman Caplan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of matters not reported upon by the respective Standing Committees. **CARRIED.**

* * * * *

It was moved by Alderman Kiss seconded by Alderman Caplan that Council move into Committee of the Whole to permit consideration of item # 1 to # 35 and the Report of the Planning and Development Committee with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –15.

NAYS: -0. **CARRIED.**

ADOPTION OF MINUTES

The minutes of the meeting held August 11, 1999 were adopted as circulated.

CORRESPONDENCE

1. Application dated August 5, 1999 from Sam Consentino, 50 Limeridge Road West, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc. District) for 163 Stone Church Road East, Hamilton, Ontario.

Received.

2. Application dated August 9, 1999 from Maria Bortolotto, c/o Tania Bortolotto, Bortolotto Designs, 130 Rosedale Valley Road, Suite 607, Toronto, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for the rear portion of 843 West 5th Street, Hamilton, Ontario.

Received.

3. Application dated August 9, 1999 from Sabatino Manganiello, 54 Windrush Crescent, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Detached) District for the rear portion of 1476 Upper Gage Avenue, Hamilton, Ontario.

Received.

4. Letter from R. Scott Smith, Secretary to the Board of Directors, Hamilton Harbour Commissioners respecting Amendments to the Hamilton Harbour Commissioners' Land Use and Development By-law.

Referred to the Finance and Administration Comm.

5. Letter dated August 30, 1999 from M. Jane Lee, Clerk\Director of Administrative Services, Town of Flamborough respecting Municipal Governance Restructuring.

Received.

6. Letter dated August 28, 1999 from Ms. Terry Fenton, Acting Clerk, Town of Ancaster respecting Municipal Restructuring.

Received.

It was moved by Alderman Kiss seconded by Alderman Caplan that Council move into Committee of the Whole to permit consideration of item # 1 to # 35 and the Report of the Planning and Development Committee with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: -0.

CARRIED.

RESOLUTION ITEMS #1 to #35

It was moved by Alderman Kiss and seconded by Alderman Caplan that Report items #1 to # 35, be adopted.

(ITEMS CARRIED EXCEPT AS NOTED)

ADDED RESOLUTION

Re: Parking Control/By-law

It was moved by Alderman Wilson and seconded by Alderman Morelli that a special meeting of the Transport and Environment Committee be called within two weeks time in order to address the issue of parking control and the Parking Control By-law and that the Committee Report back to Council on this matter.

CARRIED.

Section 6 Re: Tender

It was moved by Alderman Wilson and seconded by Alderman Caplan that Section 6 of the recommendations presented to Council on September 7, 1999 be amended by deleting sub-section (b) and replacing it as follows:

- “(b) That the tender call be subject to the approval of the necessary funds within the year 2000 Capital Budget.” **CARRIED.**

Section 13 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Collins, Anderson, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Alderman Jackson-1. **CARRIED.**

Rule No. 9 Re: Introduction of Bill C-52.

It was moved by Alderman D'Amico and seconded by Alderman Kelly that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of the introduction of Bill C-52. **CARRIED.**

Section 26 Re: Introduction of Bill C-52

It was moved by Alderman D'Amico and seconded by Alderman Kelly that Section 26 of the Recommendations to City Council be amended by adding the following Bill:

- (d) C-52: A By-law to Designate the King Street West Community Improvement Project Area. **CARRIED.**

Section 27 Re: Interim Accommodation Plan

It was moved by Alderman Wilson and seconded by Alderman Collins

That Section 27 of the Recommendations presented to Council on September 7, 1999, respecting "Interim Accommodation Plan for the City and Region Amalgamated Administration" (FAC98007b) be tabled for thirty (30) days with the exception of sub-sections (d), (e) and (f). **CARRIED.**

* * * * *

Re: Moving In-camera to discuss Private and Confidential Items

It was moved by Alderman Wilson and seconded by Alderman Caplan that City Council move in camera to discuss items of a private and confidential nature. **CARRIED.**

* * * * *

Re: Regular Session

It was moved by Alderman Wilson and seconded by Alderman Charters that City Council move out of camera. **CARRIED.**

* * * * *

Rule No. 9 Re: Fire Fighter Negotiations (C-014-99)

It was moved by Alderman Wilson and seconded by Alderman Collins that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of an item respecting Fire Fighter Negotiations (C-014-99). **CARRIED.**

* * * * *

Section 35 (A) Acquisition of the Rear of Properties located at 215, 217, 219, 221, 223 and 225 King Street East

It was moved by Alderman Wilson and seconded by Alderman Collins that the following be added as Section 35 (A):

35. (A) Acquisition of the Rear of Properties Located at 215, 217, 219, 221, 223 & 225 King Street East (PWT99035)

- (a) That the Supervisor of Real Estate, Corporate Services, be directed to acquire the rear of properties located at 215, 217, 219, 221, 223 & 225 King Street East (attached as Appendix 'A') on a willing seller, willing buyer basis for the purpose of creating a continuous vehicular/pedestrian public alleyway between Ferguson Avenue North and Walnut Street North;
- (b) That the cost to acquire the lands be charged to the Downtown Hamilton Improvement Plan, Phases II & III, Account Numbers CF 609855043 and CF 609955036, at an upset limit of \$90,000;
- (c) That the cost to develop the continuous vehicular/pedestrian public alleyway be charged to the Downtown Hamilton Improvement Plan, Phases II & III, Account Numbers CF 609855043 and CF 609955036, at an upset limit of \$57,500;
- (d) That if all property owners are not willing to sell the rear of their properties the Supervisor of Real Estate, Corporate Services, be directed to report back to Committee.

CARRIED.

Section 35 (B) Update on Early Retirement Program

It was moved by Alderman Wilson and seconded by Alderman Collins that the following be added as Section 35 (B):

35.(B) Update on Early Retirement Program

That the Early Retirement Program, be received.

CARRIED.

Section 35 (C) Fire Fighter Negotiations (C-014-99)

It was moved by Alderman Wilson and seconded by Alderman Collins that the following be added as Section 35 (C):

35. (C) Fire Fighter Negotiations (C-014-99)

That the Finance and Administration Committee recommend a funding source to satisfy accounts for professional services rendered in relation to the arbitration of the City's Collective Agreement with the Hamilton Professional Fire Fighters Association (H.P.F.F.A.), Local 288, and the City's application to the Ontario Labour Relations Board) OLRB for the designation of positions as "excluded managerial" pursuant to the provisions of the Fire Prevention Act, in an amount not to exceed \$50,000.00 .

CARRIED.

Section 35 (D) Early Retirement Program – Fire Service

It was moved by Alderman Wilson and seconded by Alderman Collins that the following be added as Section 35 (D)

35. (D) Early Retirement Program: Fire Service

That the issue of "Early Retirement Program: Fire Service" be received and that no further action be taken.

CARRIED.

Rule No. 9 Re: Grant – Junior Achievement

It was moved by Alderman Caplan and seconded by Alderman Kiss that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of an item respecting **Grant – Junior Achievement.**

CARRIED.

Section 36 Re: Junior Achievement Grant

It was moved by Alderman Caplan and seconded by Alderman Kiss

That the following be added as Section 36:

36. Grant – Junior Achievement

That a grant for the year 1999 in the amount of \$4,000 be approved for Junior Achievement with the understanding that for the year 2000 Junior Achievement will be applying to the City for a much smaller amount of grant funding. **CARRIED.**

Rule No. 9 Re: 1999 Taxation

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of an item respecting delayed final 1999 Taxation. **CARRIED.**

Section 37 Re: 1999 Taxation

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following be added as Section 37:

37. 1999 Taxation

That the September 30, 1999 due date for the third instalment of 1999 taxation be delayed until no earlier than October 29, 1999. **CARRIED.**

Rule No. 9 Re: Provincial Action Plan for Municipal Restructuring

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of an item respecting Provincial Action Plan for Municipal Restructuring (CM99011). **CARRIED.**

Section 38 Re: Provincial Action Plan for Municipal Restructuring

That the following be added as Section 38:

38. Provincial Action Plan for Municipal Restructuring (CM99011)

That the City Manager be authorized and directed to prepare materials to assist Regional Council in the identification of issues and assessment of options in relation to municipal restructuring in Hamilton-Wentworth.

CARRIED.

Rule No. 9 Re: Amalgamated, Single-Tiered Municipality with Representation by Population

It was moved by Alderman Wilson and seconded by Alderman Caplan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a recommendation respecting an Amalgamated, Single-Tiered Municipality with Representation by Population. **CARRIED.**

It was moved by Alderman Wilson and seconded by Alderman Caplan that the following be added as Section 39:

39. That the Mayor call a special meeting of the Committee of the Whole to deal with the City's position on an amalgamated, single-tiered municipality in what is currently Hamilton-Wentworth and that all relevant information on this subject be made available for that meeting. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Recommendations and the Report of the Planning and Development Committee and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: -0.

CARRIED.

September 7, 1999

City Council then adjourned at 3:45 o'clock p.m.

Taken as read and approved.

MA'OR R. M. MORROW
CHAIRMAN

J. J. Schatz, Municipal Clerk
September 7, 1999
JJS/dg

RECOMMENDATIONS

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The following recommendations are presented for consideration:

TRANSPORT AND ENVIRONMENT COMMITTEE

1. Routine Amendments to City Traffic By-law 89-72 (PWT99028)

That the requests for routine amendments to City of Hamilton Traffic By-law 89-79 (attached as Appendix "A"), be approved, and that Council enact the appropriate by-law.

2. Appointment of Parking Control Officers (PWT99033)

- (a) That, in accordance with Section 15(1) of the Police Services Act, 1990, the following persons be appointed as Parking Control Officers:

Harold Riley
Robert Stewart

Elaine Theoret
Doug Anderson

- (b) That the following appointments as Parking Control Officers be repealed:

Vince Ormond
Harry Robertson
Ernie Squires

3. James Street North and Colbourne Street – School Crossing Guard Request (PWT99023)

- (a) That a School Crossing Guard be assigned to the intersection of James Street North and Colbourne Street during the morning and evening school crossing periods only; and,
- (b) That consideration be given in the 2000 Current Budget process for an expansion package of \$4,000 plus administrative costs for a School Crossing Guard at this location.

4. Municipal Carpark No. 58, 1368 Barton Street East (PWT99029)

That Municipal Carpark No. 58, 1368 Barton Street East, remain open.

5. Declaration of Surplus Parking Lot No. 2D – 18 Britannia Avenue, Hamilton (CS99009)

- (a) That the property at 18 Britannia Avenue with a frontage of 18.3 metres (60 feet) more or less, by a depth of 61.87 metres (203 feet) more or less, containing .10 hectares (.25 acres), known as Parking Lot No. 2D, be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,
- (b) That Real Estate, Legal Services Section be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049.

6. Hot-In-Place Asphalt Recycling Program (PWT99034)

- (a) That the General Manager of Transportation, Operations and Environment, be authorized and directed to prepare and call tenders for the 2000 Hot-in-Place Asphalt Recycling Program on various City of Hamilton streets at an estimated cost of \$1,000,000.00; and,
- (b) That the tender call be subject to the approval of the necessary funds within the year 2000 Capital Budget. **AMENDED.**

7. Local Improvement Charges for the Construction of Roads, Curbs, Sidewalks and Alleys (PWT99022)

That the appropriate By-law to amend By-Law No. 10605 respecting local improvement charges for the construction of roads, curbs, sidewalks and alleys be enacted by City Council.

**8. Public Works and Traffic – Parking Services Section
- 1999 Current Budget (PWT99032)**

That the Public Works and Traffic, Parking Services Section 1999 Current Budget, dated August 1999, reflecting a surplus of \$368,790, available for viewing in the office of the Municipal Clerk, be approved.

**9. To Incorporate Certain City Land into Various Streets by By-Laws
(TOE99011)**

(a) That the following City land be incorporated into the following streets:

Chedmac Drive	Part 21, on Plan 62R-12060
Hepburn Crescent	Block 61, on Plan 62M-846
Jeremy Street	Parcel "C", on Registered Plan 1053
Redfern Avenue	Block 60, on Plan 62M-846
Rexford Drive	Part 3, on Plan 62R-8775
Terni Boulevard	Block 29, on Plan 62M-733 & Block 74, on Plan 62M-780
Upper Gage Avenue	Block 28, on Plan 62M-733

(b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the Corporate Counsel and be enacted by Council; and,

(c) That the General Manager of Transportation, Operations and Environment be authorized and directed to register the by-laws.

10. 1999 Servicing Expenditures Related to Subdivisions (PDC99063)

(a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in

"GOURLEY STAGE 2 PHASE 2", Hamilton

City's Share \$ 8,485.50, Owner's Share \$ 196,778.61

"WOODLAND MEADOWS", Hamilton

City's Share \$ - NIL -, Owner's Share \$ 282,944.91

"WELLINGTON ESTATES – PHASE 2", Hamilton

City's Share \$ - NIL -, Owner's Share \$ 22,028.85

"TIFFANY PARK", Hamilton

City's Share \$ 113,455, Owner's Share \$ 489,813

- (b) That the Mayor and Municipal Clerk be authorized and directed to execute the proposed Subdivision Agreements with the Owners of "Gourley Stage 2 Phase 2", Hamilton, "Woodland Meadows", Hamilton, "Wellington Estates" – Phase 2, Hamilton and "Tiffany Park", Hamilton as well as and any other related documents for these Subdivisions subject to the approval of the Corporate Counsel; and,
- (c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,
- (d) In the event that the Owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered the Owners should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.

11. 1999 Servicing Expenditures Related to Subdivisions (PDC99058)

- (a) That upon registration of the Final Plan of Subdivision for "Sandrina Gardens – Phase 4", in accordance with current City Policy, the General Manager of Finance be authorized and directed to financially compensate the Owner, DiCenzo Construction Company Limited, in the amount of \$172,000 for excess lands dedicated to the City for roadway purposes on Upper Gage Avenue; and,
- (b) That the Finance and Administration Committee recommend the source of funding for costs outlined in sub-section (a).

12. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-35 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (b) A-36 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (c) A-37 A By-law to Incorporate City Land designated as Block 28 on Plan 62M-733 into Upper Gage Avenue
- (d) A-38 A By-law to Incorporate City Land designated as Block 29 on Plan 62M-733 and Block 74 on Plan 62M-780 into Terni Boulevard
- (e) A-39 A By-law to Incorporate City Land designated as Part 3 on Plan 62R-8775 into Rexford Drive

- (f) A-40 A By-law to Incorporate City Land designated as Block 60 on Plan 62M-846 into Redfern Avenue
- (g) A-41 A By-law to Incorporate City Land designated as Parcel "C" on Registered Plan 1053 into Jeremy Street
- (h) A-42 A By-law to Incorporate City Land designated as Block 61 on Plan 62M-846 into Hepburn Crescent
- (i) A-43 A By-law to Incorporate City Land designated as Part 21 on Plan 62R-12060 into Chedmac Drive
- (j) A-44 A By-law to Amend Local Improvement By-law No. 50605 respecting Revised Costs to the Corporation for the Installation of Local Improvements

PARKS AND RECREATION COMMITTEE

13. Sale of Alcoholic Beverages- Mohawk Sports Park, Hamilton Hornets Rugby Football Club Inc., August 4, 1999 (CSC99013)

That approval be given of the action taken by the General Manager of Community Services in authorizing the Hamilton Hornet Rugby Football Club to sell alcoholic beverages at Mohawk Sports Park on August 4, 1999.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Collins, Anderson, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Alderman Jackson-1.

CARRIED.

14. Holeniuk Amusement Ltd., Fundraising Event (Rides) – Annunciation of Our Lord Church, Gourley Park October 8-11, 1999 (CSC99014)

That approval be granted to Holeniuk Amusement Rides to hold a fundraising carnival event for Annunciation of Our Lord Church on the following dates and times in Gourley Park subject to the Standard Terms and Conditions of the Special Events Guidelines,

October 8, 1999	5:00 p.m. – 11:00 p.m.
October 9, 1999	10:00 a.m. - 11: 00 p.m.
October 10, 1999	1:00 p.m. – 11:00 p.m.
October 11, 1999	11:00 a.m.– 10:00 p.m.

15. Big "A" Amusements Ltd.- Fundraising Event (Rides) – Norman "Pinky" Lewis Recreation Centre Chillin' Room – Teen-at-Risk Drop-in Centre (CSC99015)

That approval be granted to Big "A" Amusement Ltd. to hold a fundraising carnival event for the Norman "Pinky" Lewis Recreation Centre, Chillin' Room on 1999, October 1, 2, 3 from 5:00 pm to 10:00 pm on Friday, noon to 10:00 pm on Saturday, noon to 9 pm on Sunday in adjacent track and field subject to the Standard Terms and Conditions of the Special Events Guidelines.

16. Declaration of Surplus Property – Northern Portion of 377 Beach Boulevard (CS99013)

- (a) That a 6 metre by 8 metre parcel of vacant land with a 3 metre wide access onto Beach Boulevard located at the north end of 377 Beach Boulevard be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,
- (b) That Real Estate, Legal Services Section be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049.

**17. Placement of Cairn and Time Capsule
Hamilton Museum of Steam and Technology**

That approval be given to the General Manager, Community Services Division to locate a cairn and time capsule, commemorating the International Harvester Company, from Case Canada Corporation property to the Hamilton Museum of Steam and Technology.

18. Ontario Museum Association/Attractions Ontario Conference

- (a) That the Chair and/or a representative of the Hamilton Historical Board be authorized to attend the Ontario Museum Association/Attractions Ontario Conference to be held October 22, and 23, 1999 in Burlington, Ontario; and,
- (b) That the Conference costs in the estimated amount of \$450 be financed through the Legislative Travel Account No. COHAM 56325 300120.

19. Dundurn Castle and McMaster University Field School Fundraiser

- (a) That authorization be given to the General Manager, Community Services Division, to permit a fundraising reception and lecture on the grounds of Dundurn Castle on October 24, 1999; and,
- (b) That proceeds from the event be administered by McMaster University and used to fund the McMaster/Dundurn Annual Field School and to establish an Endowment Fund for the Joint Dundurn Castle/McMaster University Historical Archaeology Institute.

PLANNING AND DEVELOPMENT COMMITTEE

20. Core Heritage Program, 21 John Street North (HSB99001)

That a grant, for façade improvements, under the Core Heritage 2000 Program in the amount of \$850 to Giorgio Cotroneo and Antonietta Cotroneo, registered owners of 21 John Street North, be approved.

21. Regional and Town of Flamborough Official Plan Amendments and associated Zoning By-Law Amendment – Highways #5 and #6 (Flamborough) (PDC99065)

That Region of Hamilton-Wentworth and the Town of Flamborough be advised the City of Hamilton does not object to the proposed Regional and Town of Flamborough Official Plan Amendments, to permit the development of the lands at the south-east corner of Highways #5 and #6, for a retail and service-type commercial centre.

22. Request for Extension from Exemption from Part-Lot Control for "Wisemount Estates, Phase 9" Subdivision, Registered Plan 62M-836 (PDC99064)

- (a) That approval be given to the request by A. DiSilvestro, Solicitor for 800064 Ontario Inc. (A. DiSilvestro), Owner, for a 1 year extension from part lot control for the purposes of establishing maintenance easements for Lots 1 – 3, inclusive, Lots 5 - 10, inclusive, Lots 15 – 21, inclusive, and Lots 25 and 26, Registered Plan 62M-836, "Wisemount Estates, Phase 9", known municipally as 2, 4, 6 and 10 Racalmuto Street, 826, 828, 830, 832, 834, 846 and 848 Upper Kenilworth Avenue and 40, 42, 52, 54, 56, 58 and 60 Townmansion Drive, as shown on the attached map marked as Appendix "B"; and,
- (b) That the appropriate by-law, to remove part lot control from Lots 1 – 3, inclusive, Lots 5 – 10, inclusive, Lots 15 –21, inclusive and Lots 25 and 26, Registered Plan 62M-836, "Wisemount Estates, Phase 9", be enacted by Council and that the exempting by-law be restricted to a 1 year effective time period to expire on October 1, 2000.

23. "Aterno Gardens", Hamilton (Cash Payment in Lieu of 5% Parkland Dedication)

That the City of Hamilton accept the sum of \$58, 000 for Aterno Gardens as the payment in lieu of the 5% land dedication in connection with "Aterno Gardens", Hamilton being the cash payment required under section 51.1 of the Planning Act.

24. Application to Remove Part-Lot Control – Lots 1-24, inclusive and Blocks 25 – 28, inclusive, Registered Plan 62M-885 "Wellington Estates, Phase 1", (PLC-99-07) (PDC99070)

- (a) That approval be given to Part Lot Control Application 99-07, 839891 Ontario Inc., owner (A. DiSilvestro, president), to remove part-lot control for Lots 1 –24, inclusive and Blocks 25 – 28, inclusive, located in "Wellington Estates, Phase 1", Registered Plan 62M-885, for lands fronting on Meadowpoint Drive and Jacqueline Boulevard, for the purpose of establishing maintenance easements, as shown on the attached map marked as Appendix "C"; and,
- (b) That the appropriate by-law, to remove part lot control from Lots 1 – 24, inclusive and Blocks 25 - 28, inclusive, Registered Plan 62M-885 "Wellington Estates, Phase 1", be enacted by Council; and,

- (c) That the exempting by-law be restricted to a 1 year effective time period to expire on October 1, 2000; and.
- (d) That following the enactment of this by-law, the Director, Land Development, Community Planning and Development Division (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the by-law and endorse the same on the by-law.

25. Revision of Owner Responsibility and Acknowledgement Clauses in Planning Application Forms (PDC99066)

That Item 5(a)(ii) of the Fifth Report of the Planning and Development Committee adopted by Council on March 10, 1998, be amended by deleting the first of the two provisions, which provision is the first of two provisions contemplated to form part of applications for Planning Act approvals.

26. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-49 A By-law to Extend By-law No. 98-226 Respecting Land Within the "Wisemount Estates, Phase 1" Subdivision, Plan 62-M 836 from Part Lot Control.
- (b) C-50 A By-law to Remove Land within the "Wellington Estates, Phase 9", Subdivision, Plan 62-M-885 from Part Lot Control.
- (c) C-51 A By-law to Adopt Official Plan Amendment No. 162 Respecting Lands Located at Municipal Nos. 507 to 537 Queenston Road within the Kentley Neighbourhood.
- (d) **C-52: A By-law to Designate the King Street West Community Improvement Project Area. ADDED.**

FINANCE AND ADMINISTRATION COMMITTEE

27. Interim Accommodation Plan for the City and Region Amalgamated Administration (FAC98007b)

- (a) That interim moves, as detailed in the schedule attached herewith and marked Appendix "D", be endorsed at a cost not to exceed \$983,000 over the next 12 months; and, **TABLED FOR 30 DAYS.**
- (b) That the costs identified in recommendation (a), be funded first from surpluses in Divisional operating budgets, then by surpluses in City and Regional operating budgets, and then from the Administrative Amalgamation Reserve (081906); and, **TABLED FOR 30 DAYS**
- (c) That leasing recommendations detailed in Table 3, attached herewith and marked Appendix "E " be implemented; and, **TABLED FOR 30 DAYS.**
- (d) That the Regional Chairman continue his discussions with major public institutions respecting the possible use of the Court House (50 Main Street East) and report back to the Accommodation Study Sub-Committee within a month; and,
- (e) That 74 Hughson Street (former Health Building) be declared surplus of municipal needs and disposed of according to municipal policy; and,
- (f) That funds received from the lease of the Court House and disposal of 74 Hughson Street be directed to the Accommodations Reserve to fund future accommodation and facility improvements; and,
- (g) That the Director of Facilities Management be authorized and directed to proceed with the implementation of the recommendations of Report FAC98007b and report back to City/Regional Councils on a quarterly basis. **TABLED FOR 30 DAYS.**

28. Public Meetings – 2000 Budget (FIN99059)

That staff be authorized to proceed with public meetings for the Year 2000 Budget as outlined in the schedule attached herewith and marked Appendix "F ".

29. Provincial Retail Sales Tax Audit: Parking Authority and City of Hamilton (FIN99060)

- (a) That the assessment resulting from the Provincial Retail Sales Tax (PST) Audit of the Parking Authority in the amount of \$53,592.45 be funded from Working Funds Reserve (COHAM 104075); and,
- (b) That the assessment resulting from the Provincial Retail Sales Tax (PST) Audit of the City of Hamilton in the amount of \$319,199.06 be funded from Working Funds Reserve (COHAM 104075); and,
- (c) That the General Manager of Finance file a Notice of Objection under the Retail Sales Tax Act, R.S.O. Chapter R. 31, section 24 respecting the PST assessment; and,
- (d) That any funds received upon a successful appeal be deposited to the Working Funds Reserve.

30. Source of Funding – Excess Land Dedication (Sandra Gardens – Phase 4)(FIN99061)

That as referred to in Section 11 of the Committee of the Whole Report for the September 7, 1999 Council, the Reserve for Property Purchases (58600-100035) be used to fund the compensation in the amount of \$172,000 to DiCenzo Construction Company Ltd for excess lands dedicated to the City of Hamilton.

31. Hamilton Fire Department Vehicle Purchase (FIN99054)

- (a) That, based on new information provided by the supplier, the Fire Chief be authorized to amend the Fire Department 3-Year Business Plan by adding the purchase of one additional 30-metre quint fire apparatus and by deleting the refurbishing of one existing aerial truck; and
- (b) That the total purchase price not exceed \$800,000; and
- (c) That the cost of purchase be partially offset by the sale of one 1990 Grumman aerial truck – estimated value of \$150,000 and utilizing the \$150,000 previously approved for refurbishing; and
- (d) That the remainder of the purchase price, estimated to be \$500,000, be funded up to \$86,000 from the Motorized Vehicle Reserve (0101) and the balance of \$414,000 from the Vehicle and Equipment Repairs and Replacement Reserve (0103); and
- (e) That staff be authorized to undertake a review of the long-term funding adequacy for vehicle and equipment purchases by the

Hamilton Fire Department and bring back a report to the Finance and Administration Committee prior to the 2001 budget process.

32. Community Heritage Trust Fund Program, James Street Baptist Church, 98 James Street South (HSB99002)

That the outstanding indebtedness of James Street Baptist Church in the amount of \$35,192.73 in respect of a loan under the Community Heritage Trust Fund Program be forgiven and be written-off against Account Number COHAM 12410 102020.

33. General Manager, Finance – By-law respecting Appointment of an External Auditor

That the By-law respecting the Appointment of an External Auditor, be approved and enacted by City Council.

34. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-28: A By-law respecting the appointment of an External Auditor
- (b) D-29: A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

35. (A) Acquisition of the Rear of Properties Located at 215, 217, 219, 221, 223 & 225 King Street East (PWT99035)

- (a) That the Supervisor of Real Estate, Corporate Services, be directed to acquire the rear of properties located at 215, 217, 219, 221, 223 & 225 King Street East (attached as Appendix 'G ') on a willing seller, willing buyer basis for the purpose of creating a continuous vehicular/pedestrian public alleyway between Ferguson Avenue North and Walnut Street North;
- (b) That the cost to acquire the lands be charged to the Downtown Hamilton Improvement Plan, Phases II & III, Account Numbers CF 609855043 and CF 609955036, at an upset limit of \$90,000;

- (c) That the cost to develop the continuous vehicular/pedestrian public alleyway be charged to the Downtown Hamilton Improvement Plan, Phases II & III, Account Numbers CF 609855043 and CF 609955036, at an upset limit of \$57,500;
- (d) That if all property owners are not willing to sell the rear of their properties the Supervisor of Real Estate, Corporate Services, be directed to report back to Committee.

36.(B) Update on Early Retirement Program

That the Early Retirement Program, be received.

35. (C) Fire Fighter Negotiations (C-014-99)

That the Finance and Administration Committee recommend a funding source to satisfy accounts for professional services rendered in relation to the arbitration of the City's Collective Agreement with the Hamilton Professional Fire Fighters Association (H.P.F.F.A.), Local 288, and the City's application to the Ontario Labour Relations Board) OLRB for the designation of positions as "excluded managerial" pursuant to the provisions of the Fire Prevention Act, in an amount not to exceed \$50,000.00 . **ADDED.**

35. (D) Early Retirement Program: Fire Service

That the issue of "Early Retirement Program: Fire Service" be received and that no further action be taken. **ADDED.**

36. Grant – Junior Achievement

That a grant for the year 1999 in the amount of \$4,000 be approved for Junior Achievement with the understanding that for the year 2000 Junior Achievement will be applying to the City for a much smaller amount of grant funding. **ADDED.**

37. 1999 Taxation

That the September 30, 1999 due date for the third instalment of 1999 taxation be delayed until no earlier than October 29, 1999. **ADDED.**

38. Provincial Action Plan for Municipal Restructuring (CM99011)

That the City Manager be authorized and directed to prepare materials to assist Regional Council in the identification of issues and assessment of options in relation to municipal restructuring in Hamilton-Wentworth. **ADDED.**

39. AMALGAMATED, SINGLE TIERED MUNICIPALITY

That the Mayor call a special meeting of the Committee of the Whole to deal with the City's position on an amalgamated, single-tiered municipality in what is currently Hamilton-Wentworth and that all relevant information on this subject be made available for that meeting. **ADDED.**

RESPECTFULLY SUBMITTED,

**MAYOR R. MORROW,
CHAIRMAN
COMMITTEE OF THE WHOLE**

1. Ward 1

- (a) An area resident has requested the removal of the existing reserved "Permit Parking" regulation adjacent to 85 Ray Street South as the resident from 93 Peter Street, Mr. Znamecz, for whom the regulation was implemented has advised that he now has off-street parking available.
- (b) Alderman Marvin Caplan has advised of a request from Mrs. McGarr, 232 Locke Street South, that a "No Parking" loading zone be implemented on the west side of Locke, in the vicinity of her home, since she is disabled.
- (c) Mrs. Sparks, 160 Emerson Avenue, has requested the removal of the existing reserved "Permit Parking" space on Holmes, adjacent to her home, as her husband has passed away.
- (d) Kathleen Coleman, 279 Barton Street West, has requested the implementation of a reserved "Permit Parking" regulation on the south side of Barton, in front of her home, since she is disabled.
- (e) Staff has received a petition signed by all six of the abutting residential properties on the west side of Stroud between Royal and the TH&B railway tracks, requesting that a "One Hour Parking Time Limit, 8:00 am to 6:00 pm., Monday to Friday" regulation be implemented on the west side of the street in this area. Five residents are in favour and one is opposed to the requested regulation.
- (f) Ms. Susan Milligan, 63 Florence Street, has requested the implementation of a reserved "Permit Parking" regulation on the south side of Florence, in front of her home, since she is disabled.

2. Ward 2

- (a) Staff has received a request from a motorist who received a parking ticket to replace the existing reserved "Permit Parking" regulation in front of 1 Hunter Street East with a parking meter. Staff has confirmed that the Regional Health and Social Services Department has vacated the building and no longer requires the designated space.
- (b) Mrs. Irene Goncalves, 291 Catharine Street North, has requested the implementation of a reserved "Permit Parking" regulation in close proximity to her home, since she is disabled. There is an

existing "Alternate Side Parking" regulation on this section of the street, and therefore, it will be necessary to designate a space across the street from her home. John Duncan of Zellen's Garage supports the regulation adjoining his business.

- (c) Staff has received a petition, signed by representatives from four of the five abutting one, two and three family dwellings, requesting that a full-time "Three Hour Parking Time Limit" regulation be implemented on the east side of Hess from Robinson to Duke.
- (d) Mr. James Beauchamp, 61 Cathcart Street, has requested that the existing reserved "Permit Parking" space in front of his home be removed since he is moving.
- (e) Staff has requested that the duration of the four parking meters on the north side of Jackson, west of Bay, be changed from 15 minutes to one hour to be consistent with the remaining meters in the block.
- (f) Phil Leon, Phil Leon Insurance Company, 21 Hunter Street East, has requested that the duration of the two parking meters directly in front of his building be changed from 15 minutes to one hour to provide longer term parking for his customers.
- (g) Staff has received a request from Joe Bonello, 105 Simcoe Street East, that a "Wheelchair Loading Zone, 7:00 am to 6:00 pm., Seven Days a Week" regulation be implemented on the north side of the street in front of his home since his son is disabled and requires the use of DARTS vehicles.
- (h) Ms. Bachman, 33 Erie Avenue, has requested that the reserved "Permit Parking" regulation on the east side of Erie, in front of her home, be removed, since she is moving out of the area.

3. **Ward 3**

- (a) An area resident has requested the removal of the existing reserved "Permit Parking" regulation at 36 Douglas Street as the resident no longer has a vehicle, which staff has confirmed.
- (b) An area resident has requested the removal of the 65 foot "No Stopping" corner clearance on the west side of Grosvenor, north of Justine. Staff has determined that the regulation is no longer required and concurs with the request.

- (c) Jeraldine Keast, 103 Gertrude Street, has requested that the existing reserved "Permit Parking" regulation adjoining her home be removed, as her husband, Richard Keast, is not operating a motor vehicle at this time.
- (d) Larry Bernacci, has requested the removal of the existing reserved "Permit Parking" regulation at 54 Craigmillier Avenue as his tenant has moved.
- (e) Rena Sheppard, 131 Emerald Street North, has requested the implementation of a reserved "Permit Parking" regulation on the west side of Emerald, in front of her home, since she is disabled.
- (f) Staff has received a request from Colleen Murakami, 139 Emerald Street North, that a reserved "Permit Parking" regulation be implemented on the west side of the street, in front of her home, since she is disabled.

4. Ward 4

- (a) The Principal of Holy Family School has requested that the existing school bus loading zone on Britannia be relocated from the south side of Britannia adjacent to the entry doors of the school, to the north side of Cannon adjacent to the playground entrance to the school. The current location is causing congestion on Britannia, which is a westbound one way street in this block. The relocation of the buses to Cannon will alleviate the conflict between private automobiles and the buses thus relieving the congestion currently being experienced.
- (b) Staff has received a request from the Holy Family Catholic Parent Council, 190 Britannia Avenue, for all-way stop control at the intersection of Britannia and Robins.
- (c) Deputy Fire Chief Dave Clark and Captain Boychuck have requested that a full-time "No Stopping" regulation be implemented on the north side of Roxborough, west of Kenilworth, to facilitate turning movements of fire fighting equipment operating out of Fire Station No. 9.
- (d) William Cundill, 33 Tragina Avenue North, has requested the implementation of a reserved "Permit Parking" regulation on the west side of Tragina, in front of his home, since he is disabled.

- (e) Staff have received a request from area residents to remove the reserved "Permit Parking" regulation from the west side of Cameron Avenue South, at No. 54, since Mrs. Frid, for whom the regulation was implemented, no longer resides at the subject address and the house is now vacant.
- (f) Gord Neilson, the new owner of 25 Delena Avenue, has requested that the existing full-time "Wheelchair Loading Zone", located in front of his home, be removed since the previous owner, for whom the regulation was implemented, has moved.

5. Ward 5

- (a) Staff has received a request from Gerald Spencer, Hamilton Paper Box, 65-75 Cascade Street, for northbound stop control at the "T" type intersection of Cascade and Covington.
- (b) Mary-Ann Ciach, 266 Dundonald Avenue, has requested southbound stop control at the "T" type intersection of Erin and Dundonald.
- (c) Alderman Chad Collins has advised of a request from Mr. Zitella, 50 Haskins Court, for eastbound stop control at the "T" type intersection of Haskins and Montmorency.
- (d) Staff has received a request from Pauline Nelligan, 24-40 Summercrest Drive, that a driveway clearance be implemented on the east side of Summercrest to improve visibility when exiting this townhouse complex.

6. Ward 6

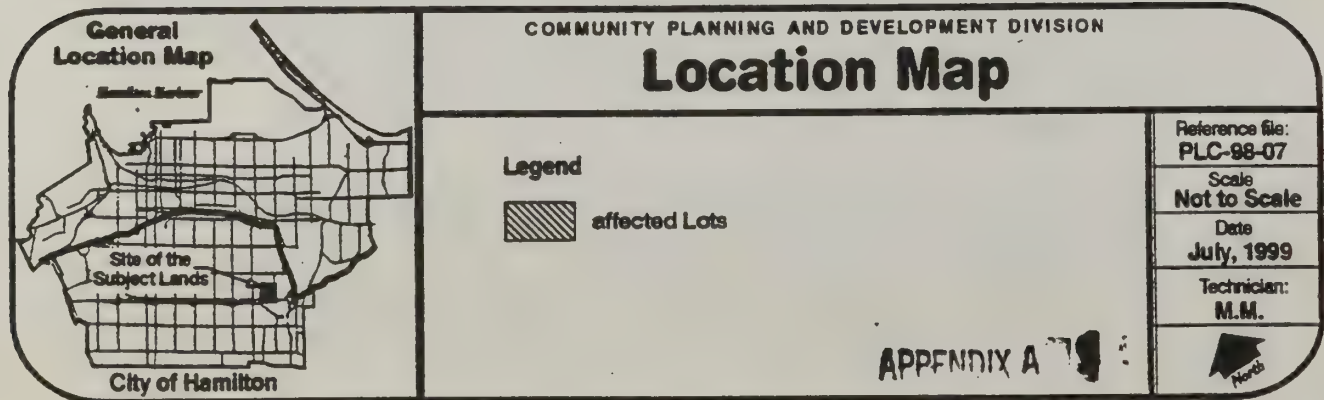
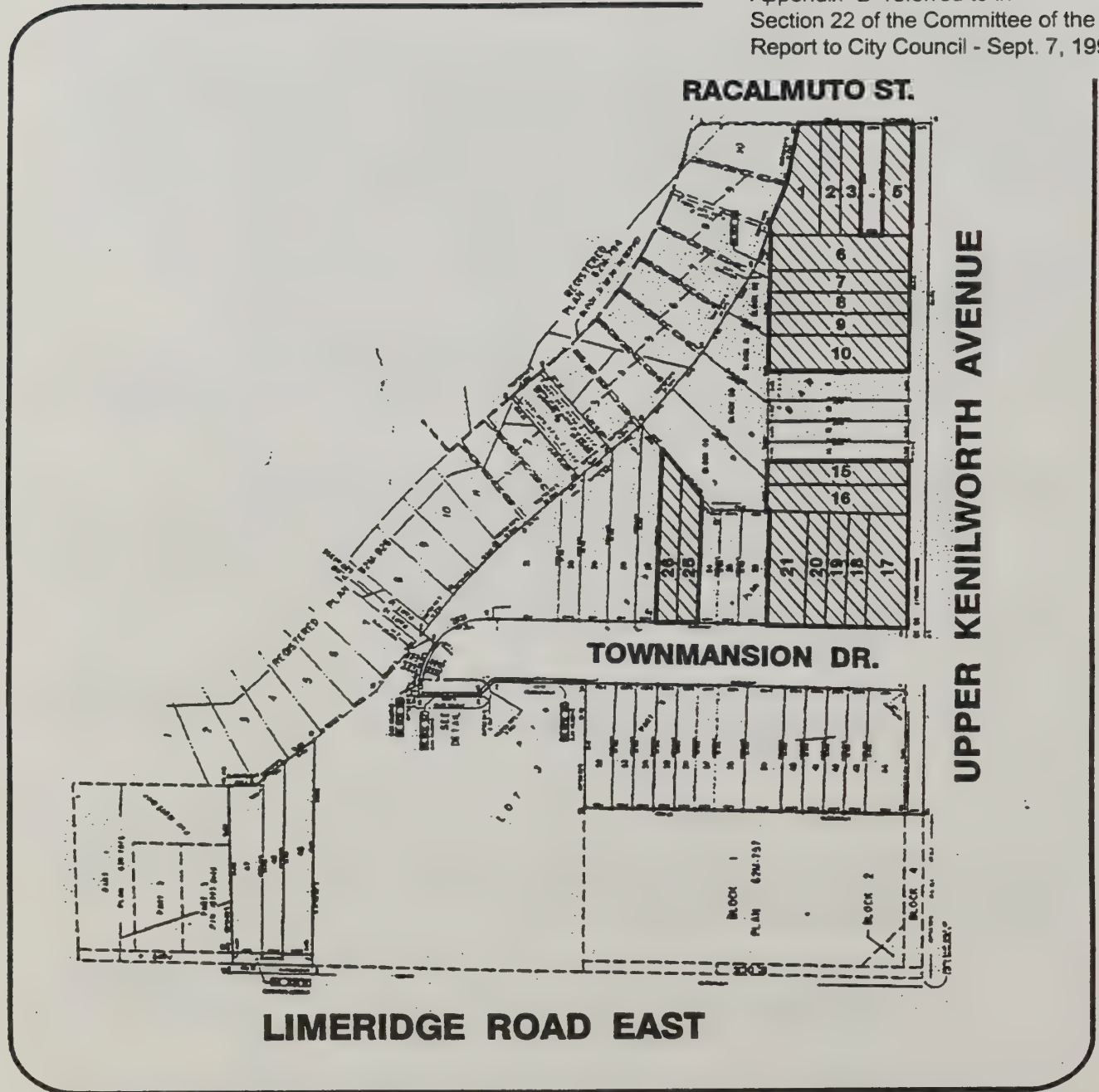
- (a) Alderman Bob Charters has forwarded a request from Mrs. Harrison, 604 Seventh Avenue, that all-way stop control be implemented at the intersection of East 37th and Seventh. The intersection meets the criteria for all-way stop control in that it is in close proximity to Blessed Sacrament Separate School.
- (b) Alderman Bob Charters has forwarded a request from Jackie Belisaro, 268 Southwood Drive, that a "No Stopping" corner clearance be implemented on the west side of Southwood, south of Morningside, directly in front of her property.

- (c) Area residents have requested the implementation of a full-time "No Parking" regulation along the north/east curb of Ironwood, west of Nina. The subject section of roadway describes a curve from west to north, and vehicles parking on the inside of the curve tend to create a vision hazard for oncoming traffic. Mr. M. Siciliano, 41 Ironwood Crescent, has no objection to a full-time "No Parking" regulation adjacent to his property.

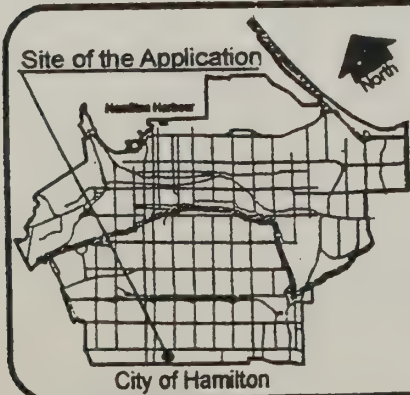
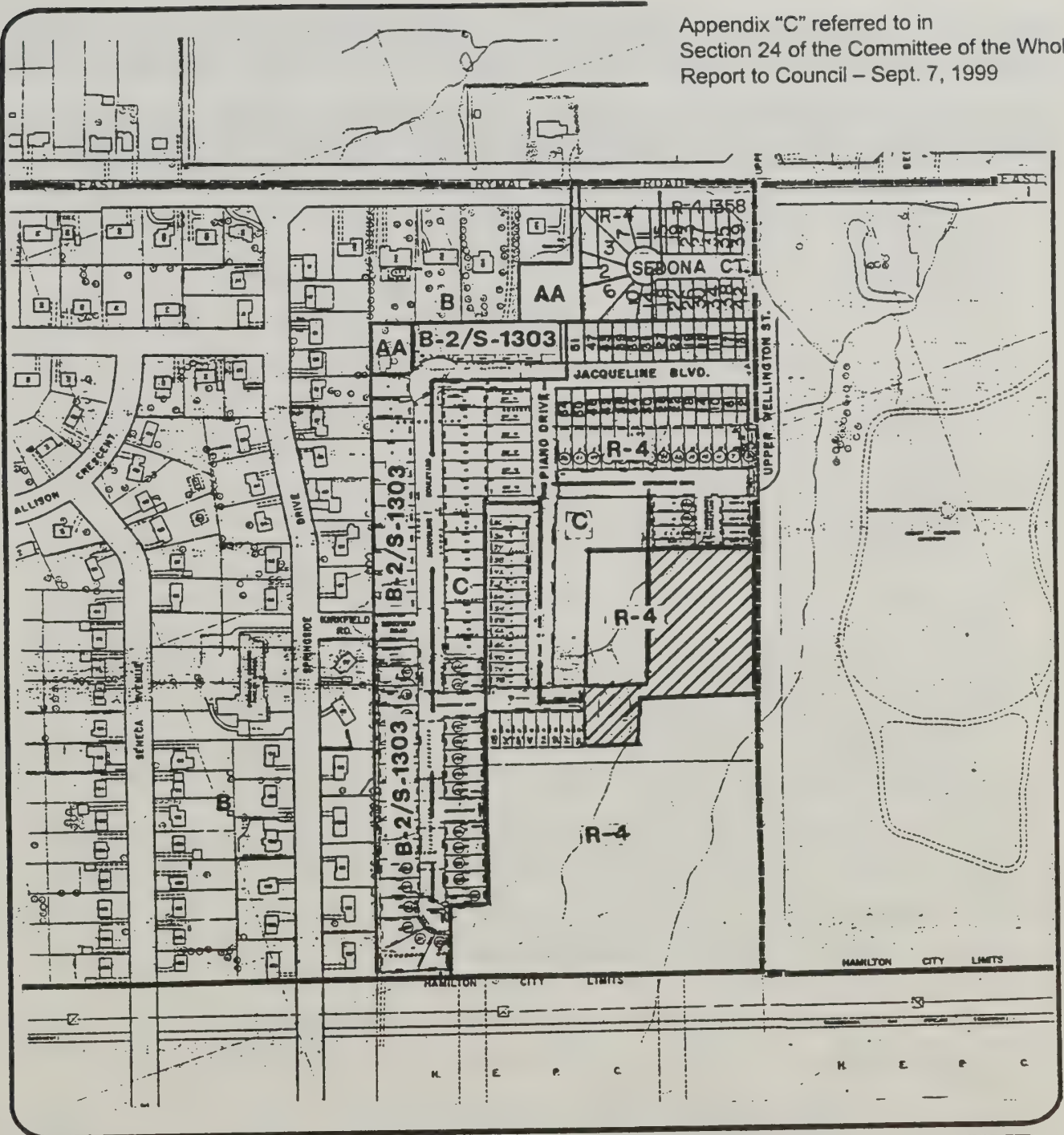
7. Ward 7

- (a) Staff has received a request from Armand Talarico, 47 Massena Drive, for eastbound stop control at the "T" type intersection of Massena and Naples.
- (b) Elaine Nowell of Rygiel Homes, 32 Towercrest Drive, has requested the implementation of a "Wheelchair Loading Zone, 8:00 am to 6:00 pm, Seven Days a Week" regulation on the south side of Towercrest, directly in front of the home as the residents require the use of DARTS vehicles.
- (c) Staff has received a request from Paul Sabourin, 154 Jacqueline Boulevard, for eastbound stop control at the "T" type intersection of Kirkfield and Jacqueline.
- (d) James Weeden, 69 East 24th Street, has requested the implementation of a full-time "Wheelchair Loading Zone" on the east side of East 24th, directly in front of his home as he requires the use of DARTS vehicles.
- (e) Alderman Bill Kelly has advised of a request from an area resident that the existing westbound yield sign at the "T" type intersection of East 27th and Mackenzie be replaced with a stop sign.
- (f) Mitchell Czekay, 52 East 24th Street, has requested the implementation of a reserved "Permit Parking" regulation on the west side of East 24th, in front of his home, since his wife is disabled.
- (g) Staff has received a petition signed by representatives of 16 of the 22 homes abutting Sorrento between Como and the northerly end requesting that an "Alternate Side Parking" regulation be implemented on the street. All 16 of the residents that signed the petition are in favour of implementing the requested regulation.

Appendix "B" referred to in
Section 22 of the Committee of the Whole
Report to City Council - Sept. 7, 1999



Appendix "C" referred to in
Section 24 of the Committee of the Whole
Report to Council – Sept. 7, 1999



COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend



Subject Lands

Reference file:

PLC-99-07

Scale

Not to Scale

Date

June, 1999

Technician:

Jsim

APPENDIX 'A'

September 7, 1999
Appendix A - Interim Accommodation Plan

Appendix "D" as referred to
In Section 27 of the Committee
Of the Whole Report to
City Council – September 7, 1999

September 1999 - November 2000 Accommodation Requirements

@ August 4, 1999

City Council Division	Division & Function	Staff	Existing Location	Move To (New Location) - indicates no move required	Timeframe for Relocation	Order of Move	# of Staff to Move	Cost per Division
		1260	Totals				535	
	Community Planning & Development							
	Division, Strategic Planning	36	35 King St. E.	6th or 7th Floors of City Hall	3 months (Oct 1999)	5	24	
	Building, City Planning, Development	87	City Hall, 3rd, 6th & 7th Floors	Consolidate on 3, 6 and 7th Floors of City Hall	3 months (Oct 1999)	5	30	
	BIA, Loans	3	125 Barton St, 25 Main W.	6th or 7th Floors of City Hall	3 months (Oct 1999)	5	3	
161	Building Inspectors	35	City Hall, 3rd & 7th Floors	-				\$104,731
	Community Services							
	Fire Prevention	19	55 King William St.	-				
	Fire Inspection	5	55 King William St.	-				
52	Culture & Rec	28	City Hall, 4th Floor	Consolidate on 4th Floor		4	15	\$27,561
	Corporate Services							
	GM, IT, Mgt Studies	7	110 King St. W.	-				
	Info Technology	47	City Hall, Main & 6th	-		4	47	
	Info Technology	5	110 King St. W.	6th Floor City Hall	8 months (Spring 2000)	7	5	
	Corp Communications	7	City Hall, 5th Floor	2nd Floor City Hall	3-4 months (Fall 1999)	6	7	
	Facilities Mgt	8	City Hall, Basement	Court House	3-4 months (Fall 1999)	6	7	
	Facilities Mgt	4	Court House	-				
	Municipal Clerk	29	City Hall, 2nd Floor	-				
	Image Processing	1	City Hall, Basement	-				
	Info Desk	2	City Hall, Main	-				
	Mail Room & Print Room	7	City Hall, Basement	-				
	Legal Services	25	City Hall, 5th Floor	110 King St. W.	8 months (Spring 2000)	7	25	
	Risk Mgt	10	HSR/330 Wentworth St. N.	110 King St. W.	8 months (Spring 2000)	7	10	
158	Real Estate	6	Mc Nab St.	110 King St. W.	3-4 months (Fall 1999)	7	6	\$196,600
	Economic Development							
20		20	1 James St. S.	-				\$0
	Finance							
		47	110 King St. W.	City Hall	10 Months (May 2000)	3(9): 7(43)	47	
	Metered Water Billing	16	35 King St. E.	Hydro	8 months (Spring 2000)	8	16	
	Metered Water Customer Service	15	489 Victoria Ave. N.	-				
137		59	City Hall (1st & 4th Fl)	1st Floor City Hall	3-4 months (Fall 1999)	3	13	\$139,641
	Governance							
			City Hall					
	Council Support Staff	9	2nd Floor	-				
	Councillors	16	2nd Floor	-				
	Mayor	5	2nd Floor	-				
	Regional Chairman	3	1st Floor	-				
43	Regional Councillors	10	No Home	-				\$0
	Human Resources							
44		44	25 Main St. W.	-				\$0
	Senior Management							
3	City Hall	3	1st Floor - City Hall	-				\$0

September 7, 1999
Appendix A - Interim Accommodation Plan

Division	Staff	Existing Location	Moved To: New Location	Timeframe for Relocation	Order of Move	Total Staff to Move	Cost per Division
	1260	Totals				535	
Social & Public Health Services							
Child & Adolescent Services Support Staff	25	100 Main St. E.	-				
General Health Dept Staff	88	25 Main St. W.	35 King St. E. (3rd & 4th)	Fall 1999-Spring 2000	5(36): 10 (52)	88	
Public Health Nurses	19	25 Main St. W.	35 King St. E. (3rd & 4th)	Spring 2000	10	19	
Public Health Inspectors	23	25 Main St. W.	35 King St. E. (3rd & 4th)	Spring 2000	10	23	
Mgt & Support Staff	8	25 Main St. W.	35 King St. E. (3rd & 4th)	Spring 2000	10	8	
Healthy Babies / Kids (PHN)	8	No Home	35 King St. E. (3rd & 4th)	Spring 2000	10	8	
GM. Administration	26	35 King St. E.	-				
Co-Location	141	31 King St. E.	-				
Public Health Nurses	8	350 King St. E.	-				\$268,258
Transportation, Operations & Environment							
Parks Management	16	125 Barton	-				
Reg F & A, Water/Wastewater	37	35 King St. E.	Hydro	8 months (Spring 2000)	8	46	
Waste Management	16	35 King St. E.	Eaton's	8 months (Spring 2000)	9	16	
Regional Waste Management	8	700 Woodward Ave.	-				
Traffic & Parking	11	City Hall, 1st Floor	City Hall, 1st Floor	3 months (Oct 1999)	2	11	
Community Traffic & Parking	15	City Hall, 1st Floor	City Hall, 1st Floor	3 months (Oct 1999)	2	15	
Public Works Mgt / Admin	25	City Hall, 4th Floor	Eaton's	2 months (Sept 1999)	1	25	
Traffic Eng & Opns	15	City Hall, 1st Floor	Eaton's	2 months (Sept 1999)	1	15	
Traffic Eng & Opns	4	City Hall, Basement	Eaton's	2 months (Sept 1999)	1	4	
Survey Crews	15	HSR/330 Wentworth St. N.	-				
Roads	52	Eaton's Centre	-				
Design & Construction	49	Eaton's Centre	-				
General Manager	2	Eaton's Centre	Hydro	8 months (Spring 2000)	8	2	
Construction Inspectors	24	No Home	Base @ HSR				
Parking Services	6	Summers Lane	-				
296 Roads	1	700 Woodward Ave.	-				\$246,209
Total	1260					535	\$983,000

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Appendix "E" as referred to in
Section 27(c) of the
Committee of the Whole
Report to City Council –
September 7, 1999

Table 1 - Leasing Issues & Recommendations

Location	Lease Expiry Date	Recommendation
110 King St. E.	May 31, 2000	Extend Lease to May 31, 2001.
25 Main St. W.	Expired	Negotiate 2-year lease for existing space on 15 th and 19 th Floors. Lease space on 2 nd , 4 th and 5 th Floors until May 31, 2000.
100 Main St. E.	April 30, 2000	Renew lease or issue RFP for space based on program requirements of Social & Public Health Services Division. Accommodation needs are unique to this program.
35 King St. E.	New lease	Lease additional 2, 500 square feet of space on 3 rd floor for complete use of floor by Social and Public Health Services.
1 James St. S.	Nov. 30, 2003	Do not proceed with leasehold improvements and maintain the 3-month termination clause.
City Hall	April 5, 2000	Extend cafeteria lease with 2-month termination clause.

CORPORATE COMMUNICATIONS DEPARTMENT PROJECT OVERVIEW

PROJECT

Year 2000 Budget – Public Information Centres

Contact: Norm Bradshaw – 540-5256

OBJECTIVES

- To ensure that taxpayers are fully informed, in a timely manner, about all aspects of the proposed Year 2000 Capital and Current budgets
- To provide taxpayers with an opportunity to review, question and comment on the proposed Year 2000 Capital and Current budgets
- To include taxpayer feedback in the municipal budget process

STRATEGY

Corporate Communications will assist the Finance Department with communications, media relations and public relations support services for their Oct 22/99 (Capital Budget) and Nov 5/99 (Current Budget) Year 2000 Budget - Public Information Centres. Finance Department will tabulate and report taxpayer feedback to the Budget Steering Committee.

Dates: Friday Oct. 22/99 and Friday Nov. 5/99
Time: 10:00 a.m. to 8:00 p.m.
Location: Hamilton City Hall, 1st and 2nd floor lobby areas
Personnel: Representatives from each Division, Board and Agency
Finance Department Representative
Corporate Communications Department Representative

TACTICS

Internal

Intranet P.I.C. Notification/Budget Details

Date

Oct/08

External

Internet P.I.C. Notification/Budget Details

Cable 14 Community Message Board

Hamilton Spectator/Spec Free Press

Media News Releases

Cable 14 Community Affairs Program

Exhibits/Displays

Comment Cards

Date

Oct/08

Oct/15-Nov/05

Oct/15,29

Oct/18,Nov/01

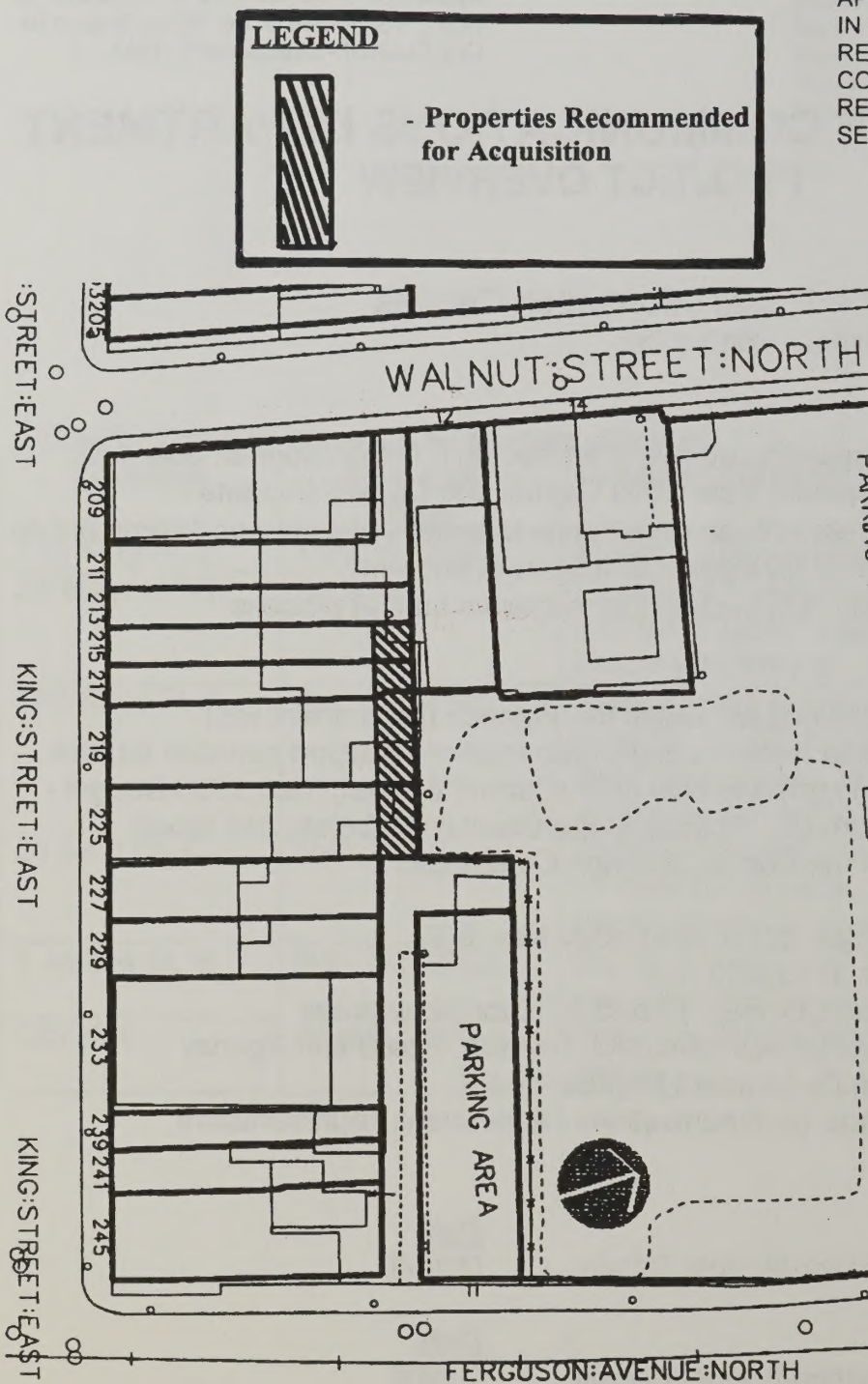
Oct/22,Nov/05

Oct/22,Nov/05

Oct/22,Nov/05

September 7, 1999

APPENDIX 'G' AS REFERRED TO
IN SECTION 35 (A) OF THE
RECOMMENDATIONS OF THE
COMMITTEE OF THE WHOLE
REPORT TO CITY COUNCIL -
SEPTEMBER 7, 1999





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